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<p>1 would call all day every day. And Emily 2 would be sitting there in the office, and 3 I'd say, she wants to talk to you; she 4 said, tell her I'm gone. And that lady 5 was getting angry, very angry. She said, 6 I've been through this with them again and 7 again and again. This was chaos. So I 8 didn't get involved with that at all. 9 Q. And then the other story you said that Don 10 told you about, what was that? 11 A. About the man involved in being sued by -- 12 National Seating was being sued. 13 Q. For not having the strap on it? 14 A. Yes. Because Emily's birthday was in 15 June, I think, because he brought a camera 16 and said, this is what I got Emily for her 17 birthday, a camera. So now when she goes 18 out to Children's Rehab, she can take 19 pictures of everyone she fits for a 20 wheelchair so they can see the strap on 21 there in case another person tries to sue 22 them. 23 Q. Are there any other wheelchairs that were</p>	<p>1 she contacted Medicaid. Medicaid went 2 through their chart and found in the 3 system that that chair had been delivered 4 several months ago to who she had in her 5 home, this home the people live in. 6 Q. Okay. Was there anything else that you 7 and this Mike Roeder talked about? 8 A. Mike Roeder and I, from the time we stood 9 in line in Subway, the time we sat there 10 and talked, it was probably about 35 11 minutes. I was back in work 20 minutes to 12 12. 13 Q. Okay. And did you ever talk to anybody 14 else from Medicaid about National Seating? 15 A. No. 16 Q. Did you ever talk to anybody else from the 17 attorney general's office about National 18 Seating? 19 A. No. 20 Q. Did you ever talk to any other 21 investigators about National Seating? 22 A. Yeah. 23 Q. Who?</p>
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<p>1 not delivered because they were loaned out 2 to somebody else? 3 A. See, what do you mean by not delivered? 4 Q. Well, you talked about the one with Sister 5 Theresa that you said had been loaned out 6 to a friend. And I thought -- 7 A. That was Don saying they were loaned out. 8 I don't know were they -- 9 Q. I'm asking you was there another one that 10 you know of that was loaned out? 11 A. Don talked of two. That's the only two I 12 heard Don talk about. I don't know 13 whether they were delivered or not; I 14 cannot tell you -- later, whatever. I'm 15 just going by what he said. But I know 16 they contacted Medicaid and Medicaid told 17 them that they were -- they showed -- they 18 had a ticket, delivery ticket, and said it 19 was delivered. 20 Q. You know that from -- how? 21 A. From Don. 22 Q. Don told you that? 23 A. And Miss Theresa on the phone said that</p>	<p>1 A. Well, after I was out of jail -- I got out 2 of jail, and I called Gerry Shockley the 3 day I got out of jail -- well, that 4 Monday, because it was a Friday when I was 5 arrested. I said, why did you arrest me. 6 He said, well, if you come down to my 7 office, then, you know, we can discuss it. 8 I said, I'm not coming down there. I 9 said, I don't even know what you arrested 10 me for; I never filed a report. So after 11 that, I contacted Medicaid, and I said 12 that -- talked to Cliff Johnson -- well, I 13 left him a message. And I said, I was 14 arrested for you guys -- you know, you 15 guys calling me about y'all's 16 investigation, and they put me in jail 17 saying that I filed a false report. Then 18 later Cliff Johnson called me back and 19 said that he didn't understand why they 20 were arresting me, that people call 21 Medicaid all the time and say about people 22 -- suspecting people for doing this or 23 that. But I never called Medicaid. They</p>

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<p>1 found that discrepancy on their own</p> <p>2 because they said they had talked with</p> <p>3 Gerry Shockley in July -- they met with</p> <p>4 him in July at the Medicaid office there,</p> <p>5 and there was documentation presented to</p> <p>6 him of no dates on information; that was</p> <p>7 in July. And that's the first time I</p> <p>8 heard about them meeting with him before</p> <p>9 they arrested me in August. But the first</p> <p>10 thing I heard from Investigator Johnson</p> <p>11 was when Gerry Shockley -- he already had</p> <p>12 talked to Don Williams and Don told him</p> <p>13 that Ms. Barrow and I was best friends and</p> <p>14 that we hung out together and that, you</p> <p>15 know, the reason why I was fired was for</p> <p>16 conflict of interest with being friends</p> <p>17 with her. I never knew that lady. I only</p> <p>18 talked to her on the phone. And one time</p> <p>19 -- she said in court -- when we went to</p> <p>20 court in September -- that she was at the</p> <p>21 EDS Christmas party. I never seen her. I</p> <p>22 mean, she might have been there, but I</p> <p>23 never talked to her. And at that time I</p>	<p>1 anything; I never went and talked to</p> <p>2 anybody; I never said anything to anybody;</p> <p>3 I never put my name on anything, so I</p> <p>4 didn't even know how I got involved.</p> <p>5 Because they called me. I didn't call</p> <p>6 them.</p> <p>7 Q. By they, you mean Medicaid?</p> <p>8 A. Medicaid did. They called me.</p> <p>9 Q. Okay. And was that the end of the</p> <p>10 conversation?</p> <p>11 A. Yeah. He said, well, okay. And from then</p> <p>12 on, we met up in court.</p> <p>13 Q. And you said after you spoke with Gerald</p> <p>14 Shockley, you called Cliff?</p> <p>15 A. Cliff Johnson was the investigator there</p> <p>16 at Medicaid. I didn't speak to him. I</p> <p>17 left a couple of voice messages for him,</p> <p>18 and he finally got back with me, and -- in</p> <p>19 disbelief. He said he could not believe I</p> <p>20 was arrested. That's what he said.</p> <p>21 Q. He said that?</p> <p>22 A. Yeah.</p> <p>23 Q. He said, I cannot believe you were</p>
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<p>1 was working at EDS, and I never seen her.</p> <p>2 Q. So you called Gerald Shockley on the day</p> <p>3 you got out of jail?</p> <p>4 A. Well, it was on Monday. I got out of jail</p> <p>5 -- I was arrested on a Friday, so the</p> <p>6 following Monday. I didn't even know what</p> <p>7 was going on, why was I arrested.</p> <p>8 Q. So you were arrested on Friday; you got</p> <p>9 out of jail on Saturday?</p> <p>10 A. Yes.</p> <p>11 Q. And on Monday, you called Gerald Shockley?</p> <p>12 A. Yes.</p> <p>13 Q. And you said, why did you arrest me?</p> <p>14 A. I said, why did you have me arrested, for</p> <p>15 what reason?</p> <p>16 Q. And he said, if you come down here, I'll</p> <p>17 tell you?</p> <p>18 A. Yeah, we can talk about it. And I said,</p> <p>19 I'm not coming down there now. I said, I</p> <p>20 guess I'll have to get a lawyer -- because</p> <p>21 he had me down for filing a false report.</p> <p>22 And I said, I never filed a report; I</p> <p>23 never filed anything; my name is not on</p>	<p>1 arrested?</p> <p>2 A. Yes. I said, they said I filed a report;</p> <p>3 that's what I got arrested for. And he</p> <p>4 said, a report? I said, I never filed a</p> <p>5 report. I said, you guys contacted me.</p> <p>6 He said, I can't believe they arrested</p> <p>7 you, because we showed Gerry Shockley in</p> <p>8 July information that didn't have any</p> <p>9 dates on it, discrepancies in the billing,</p> <p>10 but Gerry Shockley continued to talk about</p> <p>11 my friendship with Felicia Barrow. And</p> <p>12 then Felicia asked me, well, do I need to</p> <p>13 get an attorney, because he's asking about</p> <p>14 a relationship, a friendship with</p> <p>15 Elizabeth. And this didn't have anything</p> <p>16 to do with that. We didn't even know each</p> <p>17 other except for on the phone. And so</p> <p>18 after they show him information --</p> <p>19 Q. Wait a minute. This is still Cliff</p> <p>20 talking?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Cliff said they showed Gerald</p> <p>23 Shockley information in July where forms</p>

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<p>1 had no dates on them or something?</p> <p>2 A. It was in a meeting. He and Felicia and</p> <p>3 Gerry Shockley were in a meeting at</p> <p>4 Medicaid together.</p> <p>5 Q. Felicia, Cliff, and --</p> <p>6 A. Mr. Shockley.</p> <p>7 Q. -- Gerald. Okay.</p> <p>8 A. And there was -- they showed him the</p> <p>9 information with no dates and</p> <p>10 irregularities in the billing, is all I</p> <p>11 know. So I was wondering, if you showed</p> <p>12 this guy this in July, then why would he</p> <p>13 come and arrest me. So I was trying to</p> <p>14 find out from them why was he arresting</p> <p>15 me. You guys started this; this is you</p> <p>16 guys' mess.</p> <p>17 Q. And did you actually ask Cliff that</p> <p>18 question?</p> <p>19 A. Yes. I asked him that. I said, what is</p> <p>20 going on; I mean, why am I being arrested?</p> <p>21 Q. You said you asked them both.</p> <p>22 A. Well, Felicia and him. Because when I</p> <p>23 called --</p>	<p>1 said, I never filed a -- it was five</p> <p>2 officers, and they were in three different</p> <p>3 vehicles. And they all came in, and I</p> <p>4 said, I never -- what am I getting</p> <p>5 arrested for? And they said, you filed a</p> <p>6 report. I said, to who? Who? I never</p> <p>7 filed a report; I've never been down to a</p> <p>8 police station. This is what I'm</p> <p>9 thinking. I didn't think it had anything</p> <p>10 do with Medicaid. And I said, who filed</p> <p>11 this report on me? And then he told me,</p> <p>12 Gerry Shockley. And I said, for what?</p> <p>13 And then he told me, he said, well, maybe</p> <p>14 you pissed him off. That's what that cop</p> <p>15 told me. And I said, pissed who off? I</p> <p>16 never filed a report ever. I never even</p> <p>17 met Gerry Shockley.</p> <p>18 Q. Okay. And so you said that Don told Miss</p> <p>19 Barrow and --</p> <p>20 A. Don told Gerry Shockley that --</p> <p>21 Q. How do you know this, that Don told Gerry</p> <p>22 Shockley --</p> <p>23 A. Because I had a report. I had Tommy</p>
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<p>1 Q. Was Felicia on the phone?</p> <p>2 A. No.</p> <p>3 Q. This was a second conversation?</p> <p>4 A. Yeah. They both called, and it was on the</p> <p>5 speaker phone -- called me back.</p> <p>6 Q. Oh, okay. So Felicia and Cliff were on</p> <p>7 the phone; is that right?</p> <p>8 A. Uh-huh.</p> <p>9 Q. You need to speak out your answer.</p> <p>10 A. Oh. Yes, sir.</p> <p>11 Q. Okay. You don't have to say, yes, sir,</p> <p>12 just yes or no, because uh-huh comes out</p> <p>13 M-M-M-M-M. It doesn't say yes or no. And</p> <p>14 so what did Felicia and Cliff say when you</p> <p>15 said this information has --</p> <p>16 A. They didn't know I was arrested until I</p> <p>17 told them, so -- and they said, what. And</p> <p>18 I said, I was arrested, you know, for the</p> <p>19 charge -- a misdemeanor for filing a false</p> <p>20 report to a law enforcement agency. And</p> <p>21 then I said -- I didn't know -- because</p> <p>22 when they came to arrest me at my home</p> <p>23 that night, Friday night, I asked him, I</p>	<p>1 Goggins as my lawyer, and I didn't even</p> <p>2 see the reply back to -- that Gerry</p> <p>3 Shockley had provided him until the day of</p> <p>4 court. And I read it, and it said</p> <p>5 something like Felicia and I were</p> <p>6 retaliating against them because I was</p> <p>7 fired from National Seating & Mobility and</p> <p>8 that that's the reason why -- that we were</p> <p>9 lying on them. And that's the first time</p> <p>10 I've seen Gerry Shockley reply, that we</p> <p>11 were best friends and we were hanging out</p> <p>12 with each other, whatever. And that's --</p> <p>13 Mr. Goggins showed me the date of court.</p> <p>14 Q. And do you know who wrote that report?</p> <p>15 A. It had Gerry Shockley's name on it.</p> <p>16 Q. Do you know who wrote the report?</p> <p>17 A. Gerry Shockley wrote the report.</p> <p>18 Q. And the report said that you and Felicia</p> <p>19 were best friends and that y'all were</p> <p>20 retaliating because you were fired from</p> <p>21 NSM?</p> <p>22 A. It said in the paragraph, one I can quote</p> <p>23 exactly, We questioned Don Williams, blah,</p>

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<p>1 blah, blah -- that the wheelchair --</p> <p>2 THE REPORTER: Can you please</p> <p>3 slow down? I can't take</p> <p>4 that down.</p> <p>5 A. We met with Mr. Williams and they</p> <p>6 questioned him about what Medicaid had</p> <p>7 presented to them. And Don Williams told</p> <p>8 him that Elizabeth and Felicia are best</p> <p>9 friends; the reason why they're lying is</p> <p>10 because they're best friends with each</p> <p>11 other and they hang out with each other,</p> <p>12 and so we fired her; that's why they're</p> <p>13 retaliating. And this was said on that</p> <p>14 piece of paper I read before court. And</p> <p>15 this was discussed in court, because</p> <p>16 Felicia was called as a witness for them,</p> <p>17 and --</p> <p>18 MS. NICKSON: Who is them?</p> <p>19 THE WITNESS: Gerry Shockley was</p> <p>20 using her as one of their</p> <p>21 witnesses.</p> <p>22 A. In the midst of the conversation, we were</p> <p>23 talking -- when Gerry Shockley was talking</p>	<p>1 I said, I don't even know where this is</p> <p>2 coming from. Felicia clarified it up with</p> <p>3 the judge. I said, you need to talk to</p> <p>4 Felicia, I said, because she called me.</p> <p>5 And so my lawyer is standing there</p> <p>6 looking, and I said, well, call her. And</p> <p>7 the judge said, call her. And she called,</p> <p>8 and she told them. I said, it started</p> <p>9 from her. I don't even know where it came</p> <p>10 from. They contacted me.</p> <p>11 Q. Okay. We somehow got over to the trial</p> <p>12 from the phone conversation that you were</p> <p>13 having with --</p> <p>14 A. Cliff Johnson and Felicia Barrow.</p> <p>15 Q. Correct.</p> <p>16 A. I asked him, why was I arrested, when they</p> <p>17 called me. And they sent -- they gave</p> <p>18 Mike Roeder my name to talk to me about</p> <p>19 anything that I had seen -- some of the</p> <p>20 stuff they had found out, which some of</p> <p>21 that stuff was said by Chasely. I had no</p> <p>22 idea about that, so I didn't even</p> <p>23 elaborate on that at all. I couldn't even</p>
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<p>1 and Don Williams told the judge that I was</p> <p>2 fired from being friends with Felicia, a</p> <p>3 conflict of interests. And I said, you</p> <p>4 did not fire me. And I said, I wasn't</p> <p>5 even employed with you; I was employed</p> <p>6 through Kelly Services. I said, I had</p> <p>7 already told Theresa and them from Kelly</p> <p>8 Services that, you know, I was leaving. I</p> <p>9 never reported back to work that following</p> <p>10 Monday. And then that's the first thing</p> <p>11 Gerry Shockley heard, that I was not</p> <p>12 employed with -- through National Seating</p> <p>13 & Mobility as being an employee; I was</p> <p>14 temporary. And then on top of that, he --</p> <p>15 it was found out that I didn't even know</p> <p>16 her. Felicia ended up telling the judge</p> <p>17 that, no, we don't know each other and</p> <p>18 that what was going on -- they said that I</p> <p>19 said that chairs wasn't delivered.</p> <p>20 Felicia said, she never told me that. I</p> <p>21 asked her that, and she never said that.</p> <p>22 I said, I never said that whatsoever. I</p> <p>23 didn't know anything, what was going on.</p>	<p>1 do that -- and wouldn't. I only told Mike</p> <p>2 Roeder about the ones that I seen, about</p> <p>3 the prescription that didn't have any on</p> <p>4 there, and that it was Jerry Sanders</p> <p>5 calling about the quotes all the time,</p> <p>6 that he didn't have any quotes. And I</p> <p>7 said, as far as anything done by Chasely,</p> <p>8 I have no idea, and I said, contact</p> <p>9 Chasely.</p> <p>10 Q. Anything else in that conversation?</p> <p>11 A. Well, he said, this is what Medicaid</p> <p>12 provided us, and if there are some</p> <p>13 discrepancies and all this -- then he got</p> <p>14 away with so much money -- I said I don't</p> <p>15 even know anything about that. Then</p> <p>16 Mr. Roeder asked me, he said, were you an</p> <p>17 employee for National Seating? I said, I</p> <p>18 was working as a temporary employee there;</p> <p>19 my job -- I was getting paid by Kelly</p> <p>20 Services. He said, so you were never on</p> <p>21 their payroll. I said, no, sir, I was</p> <p>22 not; I was on an assignment there until I</p> <p>23 find a permanent job. I said, I was not</p>

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<p>1 getting paid by them; I was getting paid 2 by Kelly Services. My assignments -- when 3 they asked me to take this temporary 4 assignment, they said, it could be for 5 three months; it could be more than that; 6 it could be less than that. 7 Q. This is all in this conversation with 8 Cliff and Felicia Barrow? 9 A. No. I thought you asked me about Mike, 10 Mike Roeder. 11 Q. No, I was asking, was there anything else 12 said in this conversation with Felicia 13 Barrow and Cliff? 14 A. Only thing that was said between us was 15 why was I arrested -- 16 Q. Right. 17 A. -- when you guys contacted me and asked me 18 about this and then y'all sent Mike to 19 talk with me. And then what I told Mike 20 was -- I said Mike asked me something 21 about some chairs that was -- 22 Q. You've already told me, haven't you, what 23 Mike asked you about?</p>	<p>1 Q. Did you ever call anyone in any other 2 office of National Seating about the 3 allegations? 4 A. No. 5 Q. What is it that you're claiming -- 6 A. I didn't even know about the allegations 7 until the day of court. 8 Q. Well, what is it that you're claiming that 9 National Seating did wrong in this case? 10 A. I never filed a report. Once again, I 11 said that the State said they found 12 information of their irregular billing. I 13 only saw two prescriptions that did not 14 have any dates on them. I never said 15 anything to National -- to Medicaid even 16 about that, at all. I left there, and I 17 never said anything whatsoever. 18 Q. Okay. And what are you claiming they did 19 wrong in this lawsuit? 20 A. Why was I arrested -- why did Don tell 21 them that we were best friends? Why did 22 Don say that I worked for them and I 23 didn't? Why did Don say that I just was</p>
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<p>1 A. And Mike asked me something about chairs 2 being undeliverable, and I said, I don't 3 know anything about that. 4 Q. Is there anything else you discussed with 5 Mike that you haven't testified to 6 already? 7 A. No. Just to get in contact with Chasely. 8 Q. Just telling him to contact Chasely? 9 A. Yes. 10 Q. And did you ever know how to contact 11 Chasely? 12 A. I never knew her. I only heard them talk 13 about her and that I was taking her place. 14 I only knew her from what they said about 15 her. 16 Q. And did you ever talk to Cliff or Felicia 17 again until the day of your trial? 18 A. I never talked to them, no, again, after 19 -- I didn't even talk to them after my 20 trial either. 21 Q. Did you ever call Don Williams and talk to 22 him about the allegations? 23 A. No.</p>	<p>1 retaliating against them? Why did Don say 2 that I reported that to them? I never 3 reported anything. I never said nothing. 4 Q. But -- 5 A. So you tell me why was I arrested. 6 Q. I'm asking you what your claim is that 7 National Seating did wrong. 8 A. Once again -- 9 Q. Is it because of the actions of Don? Is 10 that what you're saying, what Don said? 11 A. Don said this, and it was on paper that he 12 reported back to Mr. Shockley. 13 Q. Okay. And my question to you is, are you 14 suing National Seating because of the 15 things that Don said and did? 16 A. Don could have told the truth before 17 court. 18 Q. I'm asking you -- 19 A. I didn't even want to sue them, but you 20 arrested me and caused me to lose my job; 21 you caused my character to be questioned; 22 you caused me to -- I couldn't apply for a 23 job at -- of course. Of course, I'm suing</p>

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<p>1 them for what -- you were -- you lied on 2 me. 3 Q. Wait, wait. I didn't lie at all. 4 MS. NICKSON: Excuse me. 5 A. I didn't say you. He. He. 6 MS. NICKSON: Excuse me. 7 Q. Okay. And all I'm asking is if your 8 claims against National Seating are 9 against anyone other than Don. 10 MS. NICKSON: And again, Counsel, 11 I'm asking that we take a 12 break. 13 MR. STEWART: And I'm asking her 14 to answer this question -- 15 MS NICKSON: You see that she's 16 upset -- 17 MR. STEWART: -- because she has 18 not finished answering it. 19 MS. NICKSON: -- and we've been 20 going for an extended period 21 of time. 22 MR. STEWART: I'm entitled to 23 finish this line of</p>	<p>1 you can, Elizabeth. 2 Q. Do you understand my question? 3 A. Repeat your question. 4 Q. The claims that you're making in this 5 lawsuit against National Seating, are 6 those claims because of the things Don 7 said and did? 8 MR. WALKER: Excuse me. Object 9 to the form. 10 Q. Allegedly said and did. Let me rephrase 11 the question. Are the claims that you're 12 making in this lawsuit against National 13 Seating because of the things that Don 14 Williams allegedly said and did, or are 15 there other people that you are claiming 16 did or said things wrong about you? 17 A. Don Williams, for reporting it back to his 18 main office and telling all that 19 information, and Gerry Shockley, against 20 him, for he was shown information in July, 21 documents showing that -- that they said 22 was true, because he never even got that 23 from me. And those prescriptions, I only</p>
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<p>1 questioning before we take a 2 break. 3 MS. NICKSON: Well, we took a 4 break within an hour at the 5 request of another counsel, 6 and at the request of this 7 counsel, I'm asking you to 8 do the same. 9 MR. STEWART: The local rules say 10 that if someone wants to 11 take a break, that you 12 should finish the line of 13 questioning before, and that 14 is all I'm trying to do is 15 finish this one question 16 that I'm trying to get an 17 answer to, and when I'm 18 finished with that, I'll 19 take a break. 20 MS. NICKSON: Okay. And for the 21 record, the client is upset; 22 she's emotionally disturbed 23 at this time. But answer if</p>	<p>1 told about those prescriptions when Mike 2 Roeder -- he's the first person I ever 3 told that to, and they showed that to him. 4 So Gerry Shockley for not taking that 5 documentation from the State and -- to say 6 that, okay, the State's telling the truth 7 and when I mentioned about those 8 prescriptions that I was telling the 9 truth. And Don, and with National Seating 10 for saying that, okay, they got off 11 another subject and got undeliverable 12 chairs. They were under some kind of 13 other impression that I was saying that, 14 oh, these chairs were not undeliverable. 15 I had no -- I don't even know why Don said 16 that. That's what I was arrested for, 17 lying. It was all on that piece of paper. 18 I have no idea. To this day, I'm still 19 trying to figure out how and why, I mean, 20 what's going on. That's why I had to call 21 Cliff Johnson and Felicia to ask them -- 22 you need to clarify this up to me, why I'm 23 arrested. I didn't say anything about</p>

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<p>1 National Seating. I never reported 2 National Seating to you guys. I never 3 told y'all about no undeliverable chairs. 4 I never said -- I never even told you 5 about those prescriptions, so why am I 6 being arrested. I was arrested because we 7 were perpetrated as being best friends and 8 I was fired. And I was arrested for lying 9 on them because -- and retaliating because 10 I was wanting to keep that job and I was 11 fired for fraternizing. 12 Q. Is there any -- 13 A. No. 14 Q. -- other conduct that you claim that some 15 employee of National Seating did to you? 16 A. Emily and Don. 17 Q. Anyone else? 18 A. National Seating, no. And Gerry Shockley. 19 Q. And have you told us everything that Emily 20 and Don did to you that you're suing 21 about? 22 A. Yeah. 23 Q. Okay. Let's take a break.</p>	<p>1 if I was friends with Felicia? 2 Q. Ma'am, I didn't arrest you. Let's get 3 that straight right now. 4 A. I'm asking the question in general. 5 Q. I'm asking you, are you claiming in this 6 case -- 7 A. Yes, I am. 8 Q. -- you were discriminated against? Please 9 give me -- 10 A. Yes. 11 Q. -- each and every fact that underlies your 12 claim for discrimination. 13 A. Discrimination is Gerry Shockley asked 14 Felicia point blank, are you and Elizabeth 15 best friends, hang out together and 16 whatever, and she said no. And still he 17 didn't believe me, after -- believe her. 18 After he interviewed her July the 11th, he 19 went on what was told to him I presume by 20 Don, that we were best friends and hanging 21 out together. So he came out to me and 22 arrested me August the 5th, stating that 23 she was lying for me and we were taking up</p>
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<p>1 (Lunch recess.) 2 (Mr. Williams is now present.) 3 Q. Ms. Horton, are you ready to start? I 4 need you to speak your answer out. 5 A. Yes, I do. I'm ready. 6 Q. Let me get some of this out of the way. 7 You were not claiming you were ever an 8 employee of National Seating; is that 9 correct? 10 A. I was hired through a temporary service. 11 Q. You are not claiming in this case that you 12 were discriminated against, are you? 13 A. I never said anything about 14 discriminating. 15 Q. And then you're not claiming you were 16 discriminated against? 17 A. Well, I -- yeah, I am. I'm going to say 18 that. 19 Q. Well, your complaint doesn't say that. 20 A. Well -- 21 Q. In what way were you discriminated 22 against? 23 A. If I was white, would you have arrested me</p>	<p>1 for each other and retaliating against 2 National Seating. 3 Q. Okay. And what kind of discrimination is 4 that? 5 A. Well, we're two black women. 6 Q. So are you claiming race discrimination? 7 A. Yeah. Why -- why -- I asked the same 8 question to he, and I'll ask it right now. 9 Chasely Weeks started this thing. Why not 10 go with her? I kept saying this over and 11 over again. 12 Q. What race is Chasely? 13 A. Chasely's white. 14 Q. Okay. Any other grounds underlying your 15 race discrimination case? Any other facts 16 that you rely on to say you were 17 discriminated against because of your 18 race? 19 A. None whatsoever. 20 Q. Okay. Are you claiming gender 21 discrimination? 22 A. No. 23 Q. Are you claiming you were discriminated</p>

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<p>1 against based on your age or disability or 2 religion? 3 A. No. 4 Q. Did you file a complaint with the EEOC? 5 A. No. 6 Q. Have you ever claimed that you were the 7 victim of sex harassment on the job? 8 A. No. 9 Q. Have you ever filed a workers' 10 compensation case? 11 A. No. 12 Q. Have you ever filed for unemployment? 13 A. Yes. 14 Q. How many times? 15 A. The year when I got fired from Hyundai, 16 the one time. 17 Q. Okay. At no other time? 18 A. No. 19 Q. Where are you currently employed? 20 A. Sprint. 21 Q. And what do you do with Sprint? 22 A. I am a tech support, advanced tech 23 support. I troubleshoot computer networks</p>	<p>1 every month? 2 A. Yes. 3 Q. And what is your current pay? 4 A. 12.88. 5 Q. Per hour? 6 A. Yes. 7 Q. Do you have any benefits? 8 A. Yes. 9 Q. What benefits do you enjoy? 10 A. I get medical for my medicine and for my 11 daughter, who is in college. The dental 12 -- well, all the medical benefits; that's 13 including dental and vision. 14 Q. Okay. Retirement? 15 A. They do offer that, yes. 16 Q. Okay. Do you have life insurance? 17 A. Yeah, I do. I've got life insurance 18 through them. 19 Q. Okay. Vacation? 20 A. You accrue that every month -- 11 hours a 21 month. 22 Q. Okay. And how are you doing at that job? 23 A. Well, not so good since I was put on a</p>
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<p>1 and systems and phone systems. 2 Q. Okay. And how long have you held that 3 job? 4 A. Since July 2nd. 5 Q. Of? 6 A. 2007. 7 Q. And how did you get that job? 8 A. I applied on the internet. 9 MR. WALKER: I'm sorry. I 10 couldn't hear you. 11 THE WITNESS: I applied on the 12 internet. 13 Q. Do you report for work at a physical 14 address or do you work from your home? 15 A. Physical address. 16 Q. Where is that physical address? 17 A. 1700 Mercantile Drive, Fort Worth, Texas. 18 I think it's 76133. 19 Q. Okay. And what are your hours of work 20 there? 21 A. Thursday through Sunday, 10 a.m. until 9 22 p.m. 23 Q. Okay. And do you work four weeks out of</p>	<p>1 correction action for performance. 2 Q. Why were you put on that? 3 A. Well, until I get myself back together and 4 forget about this whole thing, my 5 performance -- I had to go to the doctor 6 for medications. And just starting there, 7 my doctor took me off from work because of 8 the medication they have given me to calm 9 myself down, to focus, I think, to 10 sleep -- my psychiatrist, actually. So I 11 ran out of time. I used all my time. 12 Q. When you say you "ran out of time," you 13 mean you used up your Family Medical Leave 14 Act time? 15 A. I wasn't on family medical leave with 16 them. I just started with them. I wasn't 17 on family medical leave with them. You 18 accrue 11 hours a month. I started in 19 July, and I was off seven days in a row, 20 straight in a row. 21 Q. In July? 22 A. No, in October. 23 Q. Until October did you miss any work?</p>

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<p>1 A. Yes. I scheduled according to my doctor's 2 orders. 3 Q. Okay. But as far as missing days at work, 4 did you miss any until October? 5 A. Yes. 6 Q. How many days did you miss until October? 7 A. I don't know. Maybe about -- I'm not 8 quite for sure. 9 Q. How many days -- 10 A. About 11. 11 Q. Okay. 11 days of work? 12 A. Uh-huh. 13 Q. Is that a yes? 14 A. Yes. 15 Q. And then in October, you missed seven days 16 in a row? 17 A. That's total together. 18 Q. So you've missed 28 days since you've been 19 to work now? 20 A. 11 total together. 21 Q. 7 of them were within the month of 22 October; is that right? 23 A. Yes.</p>	<p>1 working during the weekend, I can always 2 see my doctors during the week. 3 Q. How long have you been on this modified 4 schedule? 5 A. I just started this schedule right before 6 -- right after -- I started October, 7 October the 3rd. 8 Q. Before that, you were working Monday 9 through Friday? 10 A. Uh-huh. 11 Q. Is that right? 12 A. That's correct. 13 Q. And ever since you've been on a modified 14 schedule, have you had any problems with 15 making it to work? 16 A. No, I haven't. 17 Q. Do you anticipate any problems making it 18 to work? 19 A. I can't say that. It depends on if they 20 change my medication or something like 21 that fact. You know, I always have to let 22 them know. I could get there and -- once 23 before I had an allergic reaction to some</p>
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<p>1 Q. So I misunderstood you. And what did your 2 corrective action say? 3 A. It says that because of no more time -- 4 usually, when you don't have any more 5 time -- they give you points; you're on a 6 points schedule. When you use all your 7 points, you know, and get on the third 8 level, you're terminated from the job. 9 Because of my situation, they decided to 10 keep me there and let me increase my 11 points and work out with my new schedule. 12 Q. Okay. So they're working with you? 13 A. Yes. 14 Q. And how is it that they're going to work 15 with you? 16 A. I am working now Thursday through Sunday, 17 when I was actually working Monday through 18 Friday. 19 Q. Okay. And is that working, in terms of 20 letting you have time to see your doctors 21 or whatever medical treatment -- 22 A. It would be better because my doctors are 23 always through the week, and if I'm</p>	<p>1 medication. I can't -- I don't 2 participate in missing any days, but I 3 don't know what might happen. 4 Q. And are they rolling days off? 5 A. They are not. 6 Q. Pardon me? 7 A. They're not. 8 Q. Is it an annual number of months, or is it 9 -- or is it an annual number of missed 10 days or every six months, or how does that 11 work? 12 A. No, you start there and you get 75 points, 13 meaning that your first day of work there, 14 they give you 75 points, you know, you can 15 take off and schedule your vacation and do 16 what you need to do. Other than that, 17 your PTO is 11 hours, so -- it doesn't 18 start over; you just have to earn them 19 every months and get back up to the points 20 by working overtime or something of that 21 nature. 22 Q. Okay. Have you gained back any of the 23 points that you've lost?</p>

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<p>1 A. Any time you work a week that's called 2 perfect attendance, you gain back two 3 points, so I've gained back four points. 4 Q. What is your current balance? 5 A. Four points. 6 Q. So you've gotten down to zero? 7 A. Yes. 8 Q. When you get out to July 2, 2008, will you 9 get 75 points again? 10 A. No. That's a one-time thing. You're 11 supposed to accumulate them from then on. 12 Q. Gotcha. Before you took this job at 13 Sprint, was your most immediate job before 14 that at Hyundai? 15 A. No. 16 Q. So you worked somewhere between Hyundai 17 and Sprint? 18 A. Uh-huh. 19 Q. Is that a yes? 20 A. I'm sorry. Yes. 21 Q. Okay. Where did you work after Hyundai? 22 A. Well, I left here after -- I was trying to 23 get -- I left here in July. I was hired</p>	<p>1 A. 2006. And I moved there July the 22nd, 2 2006. 3 Q. Okay. I thought you went to work for 4 Sprint July 2, 2006? 5 A. I worked both jobs. I was hired -- I 6 moved here after my divorce, and that was 7 in 2006. 8 Q. When you say "here," we're in Montgomery. 9 A. Yeah. I left Montgomery after my divorce, 10 and that was 2005 -- or -- 5 -- 6 -- it 11 was -- June of 2006 is when I left here. 12 Q. And you went to Texas? 13 A. That's right. 14 Q. But you didn't have a job at the time? 15 A. No. 16 Q. Why did you go to Texas? 17 A. Because I couldn't find a job here. 18 Baptist decided not to give me a job 19 because of my criminal background check. 20 So I couldn't find a job making the kind 21 of money I was making at Hyundai, and I 22 needed to get a job with insurance because 23 I still had my daughters in college --</p>
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<p>1 by Baptist in June, and because of my 2 criminal background check and this arrest 3 showing up -- 4 Q. Wait, stop. You left Alabama in July of 5 what year? 6 A. 2006. 7 Q. 2006. And where did you go? 8 A. I went to Texas. 9 Q. Why Texas? 10 A. Because I went on the internet and I was 11 dealing with investments before, with 12 Signa and Prudential -- Signa, Prudential, 13 the same company -- and Fidelity 14 Investments was hiring licensed retirement 15 reps. So at the point, I was already 16 licensed. I did everything over line, and 17 they hired me. 18 Q. And where are they located? 19 A. Westlake, Texas. 20 Q. Then had you moved yet to Texas? 21 A. No. I got hired in June and moved in 22 July. 23 Q. Okay. Hired in June of --</p>	<p>1 health insurance, benefits. So I searched 2 here; couldn't get a job; that's why I was 3 drawing unemployment. 4 Q. That's why what? 5 A. That's why I was drawing unemployment 6 before I left here. 7 Q. All right. So you applied at Baptist 8 Hospital in Montgomery? 9 A. Yes. 10 Q. The one on the by-pass? 11 A. Prattville. 12 Q. And they would not hire you because of a 13 criminal background check? 14 A. They hired me. 15 Q. How long did you work there? 16 A. When I started there, they called me out 17 and said they couldn't hire me -- had to 18 let me go because of -- because of this. 19 Q. We'll mark this Defendant's Exhibit 1 to 20 your deposition. I'm not even sure I know 21 what that means. Did you talk to Ms. 22 Turpen? 23 (The referred-to document was</p>

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<p>1 marked for identification as 2 Defendant's Exhibit No. 1.) 3 A. Ms. Turpen gave me that gentleman's name 4 who actually did the risk mitigation, 5 because of my arrest. Yes, I did. I 6 talked to her, Joann Turpen. My arrest in 7 August; that's why they rescinded their 8 offer. And I called him, and he told me 9 they only do felony background checks. I 10 said, well, it wasn't a felony -- felony 11 misdemeanor. I said, it wasn't a felony, 12 and that's what I told Baptist, it wasn't 13 a felony. And I was acquitted. It was a 14 misdemeanor at all times. But they said 15 because of that, they couldn't hire me. 16 Q. So that was the arrest for the check? 17 A. No. That was the arrest here. 18 Q. What in that document says that? Where in 19 that document says that, please, ma'am? 20 A. (As read:) "Thank you for your recent 21 application for employment with Baptist 22 Medical Center of Prattville. We 23 carefully considered your application, and</p>	<p>1 A. She told me on the phone, and she told me 2 to call this gentleman. And I called this 3 gentleman, by his name, and he told me. 4 Q. You're saying Ms. Turpen told you because 5 of an arrest? 6 A. Yeah. Shy told me because of my arrest in 7 August. And I said, but I was acquitted; 8 that was a misdemeanor. She told me. 9 Q. Okay. And who is the guy that you called, 10 this person at Risk Mitigation? 11 A. Yes. 12 Q. Or someone at Risk Mitigation? 13 A. She gave me his member. 14 Q. And do you have that information with you? 15 A. I gave that information to my attorney, 16 his number. 17 Q. I don't think I've got that number. Maybe 18 I'm wrong. 19 A. It's on that piece of paper. That's his 20 number. 21 Q. Okay. The number that's on -- I gotcha. 22 And do you remember the guy's name there? 23 A. I can't remember off hand, but I spoke</p>
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<p>1 we regret that we are unable to offer you 2 employment at this time. The reasons for 3 our decision was based in part on 4 information obtained from the consumer 5 reporting agency identified below, which 6 is Risk Mitigation Service, Incorporation, 7 P.O. Box 294, Moulton, Alabama, 35650, 8 phone number, 866-383-1180. In accordance 9 with the Credit Fair Reporting Act, you 10 have previously received a copy of this 11 information and a copy of your rights 12 under the act. You have the right to 13 obtain an additional free copy of this 14 report within 60 days of your receipt of 15 this letter by contacting Risk Mitigation 16 Service Incorporation. The consumer 17 reporting agency did not make the adverse 18 employment decision and therefore cannot 19 explain how and why the adverse decision 20 was made, sincerely, Joann Turpen, 21 employment recruiter. 22 Q. Where in that document does it say 23 anything about an arrest?</p>	<p>1 with him, and I said, Ms. Turpen said that 2 I needed to call you for my background 3 check you did on me, and he said yes. I 4 told him it was a misdemeanor; you were 5 acquitted. And I said, yes, it was a 6 misdemeanor. And so I called Ms. Turpen 7 back and told her what he said, and she 8 said, well, because of the arrest, I 9 wasn't able to apply -- I was not able to 10 apply with Baptist for a year or however 11 long it stays on my record. And I kept 12 saying, it's a misdemeanor, and the 13 application didn't mention anything about 14 a misdemeanor; it talked about a felony -- 15 have you ever been convicted of a felony; 16 have you ever been convicted of a 17 misdemeanor. And I was not. 18 Q. Okay. And so the next place that you 19 applied for was where, after Baptist 20 Hospital? 21 A. Fidelity Investments in Westlake, Texas. 22 Q. And what happened there? 23 A. They hired me.</p>

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<p>1 Q. And what did they hire you at?</p> <p>2 A. Westlake, Texas. I moved there.</p> <p>3 Q. Okay. And did they pay you?</p> <p>4 A. Yes, they did.</p> <p>5 Q. What was the rate of pay?</p> <p>6 A. \$16.22 an hour.</p> <p>7 Q. Okay. And how much did you make at</p> <p>8 Hyundai?</p> <p>9 A. At Hyundai I made -- I started off with</p> <p>10 31,500 a year. And that one year I made</p> <p>11 almost 45 or something that year.</p> <p>12 Q. Is that with overtime?</p> <p>13 A. Yeah. Yes.</p> <p>14 Q. Okay. And how long did you work at</p> <p>15 Fidelity Investments?</p> <p>16 A. Just -- October was my last -- September</p> <p>17 26th.</p> <p>18 Q. Of?</p> <p>19 A. This year.</p> <p>20 Q. So for three months you worked both at</p> <p>21 Fidelity Investments and Sprint?</p> <p>22 A. I did.</p> <p>23 Q. And how did you arrange that?</p>	<p>1 Q. How did that work?</p> <p>2 A. I was part-time starting off at Sprint.</p> <p>3 And because I had been off from work for a</p> <p>4 long time at Fidelity from being in the --</p> <p>5 being placed in the hospital and then</p> <p>6 being under a psychiatrist's care for a</p> <p>7 while. So I was off -- off from work for</p> <p>8 them for a while.</p> <p>9 Q. Did Fidelity terminate you?</p> <p>10 A. No, they did not.</p> <p>11 Q. Did you resign, then, of your own</p> <p>12 volition?</p> <p>13 A. No, not really. There's no way I could do</p> <p>14 the work when it was discovered that --</p> <p>15 Q. There was no way you could do the work?</p> <p>16 A. I wasn't capable of doing that kind of</p> <p>17 work under my condition on that</p> <p>18 medication, so that's -- that's what my</p> <p>19 doctor said.</p> <p>20 Q. Explain that to me.</p> <p>21 A. Well, you're actually working with</p> <p>22 people's money all day and their mutual</p> <p>23 funds, and you're transferring money to</p>
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<p>1 A. Well, Fidelity was during the daytime, and</p> <p>2 Sprint was in the evening time.</p> <p>3 Q. Were you working 40 hours at Fidelity and</p> <p>4 40 hours at Sprint?</p> <p>5 A. No, I wasn't working 40 hours at Sprint</p> <p>6 that moment. I was working 40 hours at</p> <p>7 Fidelity before I became ill. See, I</p> <p>8 started with Fidelity in July of 2006.</p> <p>9 Q. Right.</p> <p>10 A. I didn't get hired at Sprint until July of</p> <p>11 this year, 2007.</p> <p>12 Q. Oh, I'm sorry. But you did work at</p> <p>13 Fidelity until September 26th of 2007?</p> <p>14 A. Yes.</p> <p>15 Q. And you were also working at Sprint at the</p> <p>16 same time?</p> <p>17 A. Yes.</p> <p>18 Q. So there was a three-month overlap; is</p> <p>19 that right?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And were you working 80 hours a</p> <p>22 week during that three-month overlap?</p> <p>23 A. No.</p>	<p>1 other -- you're seeing a psychiatrist</p> <p>2 three times a week, on different types of</p> <p>3 medication, trying to get balanced. I had</p> <p>4 perfect credit before I left here, and</p> <p>5 then I had to go back to working two jobs</p> <p>6 to try to get everything straightened out.</p> <p>7 It just overwhelmed me.</p> <p>8 Q. Are you saying that you did not have</p> <p>9 perfect credit --</p> <p>10 A. I did have perfect credit when I left</p> <p>11 here.</p> <p>12 Q. What caused you not to have perfect</p> <p>13 credit?</p> <p>14 A. I lost my job here. I was making money.</p> <p>15 I had a daughter who was still in college,</p> <p>16 and my divorce -- you know, always -- in</p> <p>17 my divorce, Chris took care of his stuff</p> <p>18 and I took care of mine. I was able to</p> <p>19 take care of myself. But at that point in</p> <p>20 time -- and my daughters. So when I had</p> <p>21 to move here and I had to find a job, I</p> <p>22 had to pay my way to move down there. I</p> <p>23 had to get money to get an apartment and</p>

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<p>1 all that kind of stuff, so I never really 2 got back caught up with anything. 3 Q. But you didn't declare bankruptcy? 4 A. And I never will. 5 Q. Did you have to borrow money from anyone? 6 A. My family helped me out. 7 Q. Are you saying that your credit rating was 8 affected? 9 A. Yes. 10 Q. And what was it that affected your credit 11 rating? 12 A. Well, I paid all my credit cards. I have 13 always paid them on time; I always had the 14 money to do that. And then I had to make 15 arrangements for my credit cards. And 16 they offer a payment plan, but I said no, 17 I'd rather not do that because my credit 18 was bad anyway at that point. So I had to 19 get my car note payment lowered. I 20 refinanced with the credit union to get a 21 lower payment in order to accommodate my 22 credit card. And the vehicle that I 23 bought my daughter in college, I had to</p>	<p>1 Q. Mitsubishi what? 2 A. 2000LX Montero. 3 Q. And your daughter? 4 A. My daughter's is a Santa Fe, Hyundai Santa 5 Fe 2000. I had to refinance it for a 6 longer term. 7 Q. Where do you bank? 8 A. I bank at Bank of America. 9 Q. How long have you banked at Bank of 10 America? 11 A. Since September of 2006. 12 Q. Before that where did you bank? 13 A. Community Bank & Trust here in Montgomery. 14 Q. Where else? 15 A. That's it. 16 Q. Before you moved to Montgomery where did 17 you bank? 18 A. Chris and I banked -- had a joint account 19 in Iowa. I think it was Dubuque Bank -- 20 Bank and -- Community Bank. It was 21 Dubuque Bank. I can't think of the... 22 Q. Did you have a mortgage on a home here in 23 Montgomery?</p>
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<p>1 have them to actually refinance that too, 2 to get a lower payment. 3 Q. Do you know what your credit score was? 4 A. It was 565, 566, something like that. 5 Q. At its lowest or highest? 6 A. That's at its lowest, and lower than that 7 now. 8 Q. What is it now? 9 A. I haven't checked. 10 Q. Last time you checked? 11 A. Well, last time I checked was actually in 12 September, and it was 4 -- 485. 13 Q. What had it been when you -- 14 A. Highest my credit rating had ever been was 15 785, 786, something of that sort. 16 Q. When was that? 17 A. Here in Montgomery, before I ever moved to 18 Montgomery. 19 Q. Do you have copies of your credit ratings? 20 A. No, but that shouldn't be a problem. 21 Q. What kind of car did you have to have the 22 note lowered on for yourself? 23 A. A Mitsubishi.</p>	<p>1 A. No. 2 Q. Do you now? 3 A. No. 4 Q. At the current time, is your only source 5 of income the money you earn at Sprint? 6 A. Yes. 7 Q. No one's helping you? 8 A. No, not right now. 9 Q. Have you ever been deposed before? 10 A. What do you mean? 11 Q. Where you've been sworn under oath as a 12 witness? I know about your trial, but as 13 a witness where you sat in a room like 14 this and lawyers asked you questions? 15 A. No. 16 Q. Other than the time you testified at your 17 own lawsuit, have you testified before? 18 A. No. 19 Q. While you were assigned to work at NSM as 20 an employee of Kelly Services, did anyone 21 talk to you about your performance? 22 A. No. 23 Q. Did anyone talk to you about the way you</p>

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<p>1 dealt with customers?</p> <p>2 A. No.</p> <p>3 Q. Did anyone talk with you about the way you</p> <p>4 dressed?</p> <p>5 A. No.</p> <p>6 Q. Did anyone have any complaints about you</p> <p>7 at all?</p> <p>8 A. No.</p> <p>9 Q. Never had any type of formal or informal</p> <p>10 counseling with you --</p> <p>11 A. No.</p> <p>12 Q. -- while you were at NSM? Did anyone</p> <p>13 report back to Kelly Services any</p> <p>14 complaints they had with your performance?</p> <p>15 A. No. Theresa was my point of contact.</p> <p>16 Q. Why had you decided that you wanted to</p> <p>17 leave NSM and go somewhere else?</p> <p>18 A. I was already looking for permanent</p> <p>19 positions when I moved there. That was</p> <p>20 the first temporary position that I've</p> <p>21 taken, was there. And there at that job,</p> <p>22 you can wear jeans and a tee shirt and</p> <p>23 shorts. And most of the time, Don and</p>	<p>1 that I was working there, I was</p> <p>2 interviewing at other places all the time.</p> <p>3 Q. So you just wanted a permanent job that</p> <p>4 had better pay and better benefits?</p> <p>5 A. Yes. And that's what was on my</p> <p>6 application at Kelly Services.</p> <p>7 Q. Okay. And you said you interviewed at</p> <p>8 other places while you were working at</p> <p>9 NSM?</p> <p>10 A. Yes.</p> <p>11 Q. Can you tell me where?</p> <p>12 A. I interviewed with EDS; that's during the</p> <p>13 time I was working there. And I</p> <p>14 interviewed at Walker -- well, it was</p> <p>15 another temporary agency I was working</p> <p>16 through too, was Walker Personnel there.</p> <p>17 They had temporary positions for -- in</p> <p>18 hospitals, for respiratory or medical</p> <p>19 billing, so I was interviewing there too,</p> <p>20 trying to get a permanent position</p> <p>21 somewhere with insurance. And then at</p> <p>22 that time when I would go on my lunch</p> <p>23 break, I would go interview and come back,</p>
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<p>1 them wore shorts, but I always wore jeans</p> <p>2 and a shirt and tennis shoes -- never wore</p> <p>3 shorts at all. I always wore a -- mostly</p> <p>4 a white tee shirt with another one</p> <p>5 underneath it, and I wore a jacket over it</p> <p>6 -- a sweater, because they kept it so cold</p> <p>7 in there. So on that note, nobody never</p> <p>8 talked to me about that. So it wasn't</p> <p>9 like a formal place; you can wear anything</p> <p>10 you want to wear.</p> <p>11 Q. My question is, why is it that you wanted</p> <p>12 to leave NSM and go somewhere else?</p> <p>13 A. Because I wanted a job with permanent -- I</p> <p>14 didn't have no benefits there. I was</p> <p>15 making \$10 an hour -- \$10.50 an hour, had</p> <p>16 no benefits, nothing whatsoever, no</p> <p>17 insurance or anything. I had no room for</p> <p>18 advancements there.</p> <p>19 Q. Any other reason you wanted to leave NSM</p> <p>20 and work somewhere else?</p> <p>21 A. It was under my understanding when I got</p> <p>22 hired at NSM that it was going to be</p> <p>23 temporary anyway. And during the time</p>	<p>1 and that's when I got hired at EDS.</p> <p>2 Q. Any other places you interviewed?</p> <p>3 A. No. I submitted applications -- my resume</p> <p>4 all the time. Hyundai, at their</p> <p>5 suppliers.</p> <p>6 Q. Did you ever keep copies of your resumes</p> <p>7 or your applications?</p> <p>8 A. No, I never kept copies of my</p> <p>9 applications.</p> <p>10 Q. Did you store any applications on your</p> <p>11 computer?</p> <p>12 A. No, I did not. You fill them out online.</p> <p>13 I never kept them.</p> <p>14 Q. Did you keep a diary during 2004 or 2005?</p> <p>15 A. A diary?</p> <p>16 Q. Uh-huh.</p> <p>17 A. Personal diary?</p> <p>18 Q. Yeah.</p> <p>19 A. No.</p> <p>20 Q. All right. Have you since kept a personal</p> <p>21 diary?</p> <p>22 A. No.</p> <p>23 Q. Is there any place that you record the</p>

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<p>1 events that you're suing about in this 2 case? 3 A. Yes. 4 Q. What is that? 5 A. I didn't record it. It was being recorded 6 by Anthony Green. After I was arrested 7 and I was out, maybe a month later they 8 were still investigating -- they said they 9 had been investigating for almost a year. 10 Anthony Green, who worked with Cliff 11 Johnson, called me. He recorded the same 12 thing I told -- said in court, and he got 13 it on tape, so it's in his possession with 14 Medicaid. 15 Q. Okay. And do you mind if we have a copy 16 of that tape? 17 A. He has it, so you have to ask Medicaid. 18 Q. Do you consent -- 19 A. I don't mind at all. 20 Q. -- to it if we make a copy for your 21 lawyer? 22 A. I don't mind. 23 Q. And have you, yourself attempted to record</p>	<p>1 Barrow. I said, well, they never told me 2 anything like that, because I never went 3 back there anyway because I got that job 4 at EDS. That was the first time I'd heard 5 of it. 6 Q. Too friendly with who? 7 A. Felicia Barrow. And then the second time 8 I heard that I was too friendly with 9 Felicia Barrow. If there was anything 10 that had to do with me dressing or 11 anything like that, then I wonder why Don 12 didn't tell that when we went to court. 13 He told the judge it was because me and 14 Felicia Barrow were fraternizing after 15 work. 16 Q. I think my question, ma'am, was, did you 17 ever leave a voicemail for anyone -- 18 A. So no. And that's what I told Danielle. 19 I called Danielle, and I said, you know, I 20 never told y'all what Don told me about 21 Robert falling out of that chair and 22 rolling down that -- the interstate and 23 stuff like that. And Danielle wanted to</p>
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<p>1 the events that you're suing about in this 2 case in writing anywhere? 3 A. No. 4 Q. In typing anywhere? 5 A. No. 6 Q. Okay. Did you ever call National Seating 7 or any employee of National Seating and 8 leave a message on someone's voicemail? 9 A. Yes. 10 Q. Tell me about that. 11 A. Well, after I started with EDS -- and 12 Theresa and I was pretty good friends at 13 Kelly Services. That's when Theresa told 14 me -- because I was referring another 15 young lady there from EDS who was part 16 time, to go to Kelly Services, because 17 they can find her, you know -- she said 18 she was looking for part time work. At 19 EDS, she was part time, and her job was 20 about to end. So when I called Theresa 21 and we were talking, and Theresa told me 22 what Don had said. Somebody had said that 23 about -- that I was too friendly with Ms.</p>	<p>1 know more about that. I said, you know, 2 he told Kelly Services a lie on me. So at 3 this point in time, Theresa took up for me 4 at Kelly Services. But he told it to the 5 head woman at Kelly Services, so to this 6 day, I can't even get a job through Kelly 7 Services. At this time, I am unhirable. 8 When I moved to Texas trying to get a 9 temporary job at Kelly Services when I was 10 at Fidelity, they told me I was not 11 eligible for rehire. 12 Q. Why did they tell you that? 13 A. Because I was fraternizing -- they said I 14 was too close, too personal with customers 15 and employees, is what they told me. 16 Q. And was it the Kelly Services in Texas 17 that told you that? 18 A. Yeah. Well, Theresa told me that -- what 19 Don had told them. 20 Q. When you said that you tried to get a job 21 with Kelly Services -- 22 A. In Texas. 23 Q. -- and they said you couldn't because you</p>

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<p>1 were fraternizing too closely with 2 customers and employees, I'm trying to 3 find out who -- 4 A. Yeah. That's what they put on -- it's in 5 the system every Kelly Services you go. 6 So I had no idea that this Kelly Services 7 in Texas knew about something that Don 8 said to Kelly Services in Montgomery. I 9 had no idea. I've always used Kelly 10 Services. 11 Q. And was it Kelly Services in that town you 12 live in now? 13 A. Yes, it's a Kelly Services there. 14 Q. There was -- 15 A. There is one in Texas. 16 Q. Where is the one in Texas? That's what 17 I'm trying to find out. 18 A. Bedford. There's one in Fort Worth, one 19 in Dallas. 20 Q. And which one is it that told you that you 21 were not eligible for hire because of 22 fraternizing? 23 A. When I was in Tarrant County; that was in</p>	<p>1 reason why he would not let me come back. 2 And I thought, I hadn't left there anyway, 3 so why would I come back there. But that 4 wasn't true. 5 Q. So you got a job at Hyundai -- 6 A. I got a job at EDS. 7 Q. I'm sorry, EDS. And that job started on 8 the following Monday? 9 A. That job started like two weeks later. 10 Q. Okay. And the last day of work at Kelly 11 Services before going to EDS, was that the 12 Friday before the Monday you reported to 13 work? 14 A. No. 15 Q. Did you give two weeks' notice? 16 A. With Kelly Services? 17 Q. Uh-huh. 18 A. No. Because me and Theresa had already 19 been talking -- she was my point of 20 contact -- had been talking -- we talked 21 all the time. 22 Q. So she knew that you were -- 23 A. She knew I was leaving.</p>
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<p>1 Fort Worth, Texas. 2 Q. And have you ever seen anything in writing 3 from them? 4 A. No. 5 Q. Do you know the name of the person who 6 told you that? 7 A. No. 8 Q. What is it that Theresa told you when you 9 talked to her? Did she say that you were 10 fraternizing too closely with customers -- 11 A. No. What happened was, my last day I 12 worked there was a Friday, and it was a 13 day after my birthday. So I didn't come 14 back to work -- I called there on Friday 15 evening after I left and told them about 16 me going to -- accepting another position. 17 So I talked to them -- I didn't show up at 18 National Seating on Monday, and so when I 19 finally talked to Theresa and told them, 20 you know, that I wasn't going back, that's 21 when Theresa had told me that Don and them 22 called and told them that, in case I 23 wanted to come back there, this is the</p>	<p>1 Q. And she knew when you were leaving? 2 A. She knew when I was leaving because I 3 called her and told her. 4 Q. And did she tell National Seating that you 5 were leaving? 6 A. No. 7 Q. Did you tell National Seating you were 8 leaving? 9 A. No, I never did -- never did tell them. 10 Q. Did your job end that Friday, your 11 temporary position with -- 12 A. No, it didn't. 13 Q. So you just walked out and never came 14 back? 15 A. Well, see, I had told -- I report to Kelly 16 Services, and Kelly Services tells them. 17 I reported to them to get a replacement, 18 and they told them. 19 Q. Okay. Did you ever tell Kelly Services or 20 National Seating that you were not going 21 to go back after that Friday, or did you 22 just not show up? 23 A. No. That Friday Don wasn't even there.</p>

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<p>1 Emily was in Nashville the Thursday 2 before, so she wasn't in the office. When 3 I left that Friday with the keys, I 4 returned them to Kelly Services that 5 Friday evening, dropped them in the box, 6 because that's what me and Theresa had 7 talked about.</p> <p>8 Q. And then you took two weeks off before 9 starting your next job?</p> <p>10 A. Yes, I went home.</p> <p>11 Q. Went home where?</p> <p>12 A. I went to visit my children in Marianna.</p> <p>13 Q. I mean, do you think that was the correct 14 way to leave the job there at NSM?</p> <p>15 A. Well, that's the way Theresa told me to do 16 it. I report to them, and then they tell 17 them of their new replacement.</p> <p>18 Q. So Theresa told you just to leave the job 19 without notice?</p> <p>20 A. Well, like I said, we had been talking two 21 weeks prior about me leaving. It was only 22 a temporary position. Only reason why 23 they asked me to take that position was</p>	<p>1 that Monday -- I didn't show up that 2 Monday morning.</p> <p>3 Q. Okay. What did Theresa tell you the 4 conversation with Don -- just tell me what 5 she told you.</p> <p>6 A. Don had told the lady who was running 7 Kelly Services that I was too close to 8 people, you know, very friendly with 9 people or something of that nature. But 10 she said he couldn't really explain what. 11 And I said, well, what did he mean by 12 that, you know. And she said, he really 13 couldn't go into details about it. I 14 said, well, I don't understand that; 15 that's not true. Because, first of all, 16 if he was indicating something else, 17 that's totally off base. So Theresa 18 really didn't understand what Don was 19 talking about. And I said, well, what did 20 he say. So that's what I was listening 21 for him to say in court. Well, he told 22 the -- he didn't say that. I wanted to 23 hear the reason why he said he let me go,</p>
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<p>1 because -- I was looking for a permanent 2 position. They asked me to take that 3 temporary position while they was looking 4 for me a permanent position -- a permanent 5 one. So I was working there while until 6 they found me one, but they didn't find me 7 one; I found my own permanent position.</p> <p>8 Q. Do you think that had anything to do with 9 your being blacklisted from Kelly 10 Services?</p> <p>11 A. Me being blacklisted from Kelly Services? 12 No. That's not what they told me. 13 Theresa told me what Don said.</p> <p>14 Q. And when did this conversation with Don 15 supposedly take place?</p> <p>16 A. I don't know when Don talked to Kelly 17 Services; I just heard about on Monday, 18 that Monday, following Monday, after I 19 left on that Friday.</p> <p>20 Q. And had the conversation with Don taken 21 place weeks before, months before; do you 22 know?</p> <p>23 A. No. Theresa told me that Don told them</p>	<p>1 because I was not let go by him; I left 2 myself. And he told the judge that 3 because me and Felicia Barrow was best 4 friends; that's what he said. I wanted to 5 know too, myself. So if you tell Kelly 6 Services one thing, then why would you 7 tell the judge another thing.</p> <p>8 Q. Did you leave a message on an answering 9 machine of anyone that worked at National 10 Seating about your leaving?</p> <p>11 A. Danielle.</p> <p>12 Q. Tell me what you said on Danielle's 13 answering machine.</p> <p>14 A. I said, Danielle, I said, I was leaving -- 15 Don had called Kelly Services. And I 16 said, but I was leaving anyway and I had 17 left anyway. And I said, he told them -- 18 I don't know whatever he said, I said, but 19 I never called y'all and told y'all that 20 Don said that Robert fell out of that 21 chair with no strap on, so Don was not 22 telling the truth.</p> <p>23 Q. Anything else that you said on that call?</p>

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<p>1 A. And I said that, you know, but I'm okay 2 with it; I'm at EDS. And I said that -- 3 Felicia Barrow had called looking for me 4 or something like that. And I said, 5 Felicia, all that time I was working 6 there, I had asked people for contacts of 7 places to go for medical provider. So I 8 had told her that I had been getting in 9 contact with State employees. Felicia 10 referred me to somebody else who worked in 11 EDS and all that kind of -- places like 12 that, because she knew everybody around 13 there. I talked to Jerry Sanders; he gave 14 me some contacts of people, because I 15 wanted to stay in the medical profession. 16 Q. Did you say that you understood that 17 complaints were made that you were overly 18 flirtatious with customers and that you 19 dressed too modestly at work? 20 A. Well, see, flirting with somebody, that's 21 not even my character. 22 Q. My question was simply this: Did you say 23 that on the voicemail machine?</p>	<p>1 the provider at Medicaid who actually 2 called me for quotes and stuff. And Jerry 3 Sanders, he was funny, talks about stuff, 4 and I enjoyed talking with him. 5 Flirtatious, that's not in my character. 6 And when people would call there, they 7 would call for me and ask for me to help 8 them. So nobody ever came by there but my 9 husband, and as far as that goes, being 10 flirtatious, being nice. 11 Q. All I asked is what you left on the 12 voicemail. 13 A. Yes. That's when Don said, I was being 14 flirtatious. I've never been flirtatious 15 with anybody in my whole life. 16 Q. Did you say on that same message that you 17 had no hard feelings toward NSM? 18 A. I sure did. If Don said those things, 19 that's how he felt, and that was okay with 20 me. I have no hard feelings towards that. 21 Q. And did you say that you had a job with 22 Medicaid that you were going to be taking? 23 A. EDS. Medicaid, EDS. That is Medicaid.</p>
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<p>1 A. In my interpretation, what Theresa was 2 trying to say, Theresa told me what her 3 manager said. And then we elaborated on 4 that, and I said, excuse me? I mean, to 5 flirt -- I told Danielle, I said -- 6 something of that nature. I can't 7 remember about flirtatious or something 8 like that, but I -- I don't remember. It 9 was something of that nature. 10 Q. Did you also say in that voicemail message 11 that you left for her that you weren't 12 going to change the way you were for 13 anybody? 14 A. Oh, yes. That's right. The way I -- this 15 was mentioned, about when the phone rang 16 and I said, thank you for calling National 17 Seating & Mobility, and when I'd be 18 talking to one of the providers on the 19 phone like Jerry Sanders or someone and 20 we'd start laughing and having -- you 21 know, talking about stuff, he was -- I 22 guess that's his point, saying I was too 23 flirtatious with Jerry Sanders. He was</p>	<p>1 It's a Medicaid division of the State. 2 Q. And is that, in fact, where you were? 3 A. That's, in fact, where I was at. 4 Q. And once you went to EDS, did you have any 5 further contact with NSM? 6 A. No, never did. 7 Q. While you lived in Montgomery, did you 8 ever socialize with Felicia Barrow? 9 A. No. I have never socialized with her, 10 ever. 11 Q. No lunches, no dinners? 12 A. Me and Felicia never went out to lunch, 13 dinner, anywhere together. 14 Q. Did you ask her to call National Seating? 15 A. I didn't even know she had called National 16 Seating till the day I was in court. 17 Q. And what did you find out the day you were 18 in court? 19 A. See, Felicia didn't even know I was a 20 temporary person there either. See, 21 that's how -- if we were such good 22 friends, then she would have known that I 23 was a temporary employee of National</p>

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<p>1 Seating working through Kelly Services, 2 but she didn't even know that. It wasn't 3 her -- she wasn't that type of friend. 4 She thought that I was permanent there. 5 And she thought that -- when she called 6 there for me that Monday, because I had 7 faxed her some stuff on Friday, she asked 8 for me, and she talked to Don's wife, 9 Emily. And Emily told Felicia that there 10 was a cutback because of, you know, 11 business was slow, so I decided to go to 12 EDS and then it was going to be just Don 13 and her working in the office. So that's 14 what she told Felicia, and Felicia quoted 15 that back to me. 16 Q. When? 17 A. When? They called me six months later at 18 the most, asking me about some stuff that 19 they -- what happened to -- what's going 20 on at National Seating. And she said, 21 well, why did you leave there. I said, 22 that was temporary. She said, I didn't 23 know you were temporary. Yes, I was</p>	<p>1 suspicions. 2 A. Well, I read it from my attorney, who gave 3 it to me, that the reason why I was being 4 arrested was because I personally went to 5 Medicaid and filed a complaint about them 6 doing some false -- doing something -- 7 irregularity, billing and stuff like that. 8 They're assuming that I went and made the 9 complaint, and I did not. I never filed a 10 complaint whatsoever. So Don had in the 11 response that I was retaliating because he 12 fired me and that's my reason for 13 reporting it to Medicaid, that they were 14 doing something wrong in their office, 15 because they fired me. And the point is 16 that I never told Medicaid nothing when I 17 left there. I never even had any contact 18 with them -- never did. They called me. 19 So yes, I read Don's statement. He told 20 that to Gerry Shockley, and then Gerry 21 Shockley arrested me because he was 22 assuming that it was me who went to 23 Medicaid, and I never did.</p>
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<p>1 temporary there. 2 Q. So the very first time you talked to 3 Felicia Barrow after leaving NSM was six 4 months later? 5 A. When they called me, her and Cliff 6 Johnson. 7 Q. And you didn't talk to her in the 8 meantime? 9 A. Never talked to her. Never talked to her. 10 Don't even know where she lived. Never 11 talked to her. 12 Q. Who is it that made the decision to -- 13 strike that. To your knowledge, did 14 National Seating do anything to encourage 15 your arrest? 16 A. Yeah. 17 Q. I'm asking, to your knowledge, are you 18 aware of any facts -- 19 A. Yes. 20 Q. -- that NSM did something to have you 21 arrested? 22 A. Yes. 23 Q. Okay. Tell me what the fact are, not your</p>	<p>1 Q. So Don told Medicaid -- 2 A. Told Gerry Shockley. 3 Q. Okay. Let me get this straight. 4 A. District attorney general, told him, in 5 his statement that I read. 6 Q. Okay. Don told Gerald Shockley that you, 7 Elizabeth Horton -- 8 A. The reason why -- 9 Q. Let me ask the question -- went to 10 Medicaid with complaints, and it's for 11 that reason that they arrested you? 12 A. Yeah, that I filed a report and it was 13 false. Yes, sir. 14 Q. So Don Williams -- 15 A. Told Gerry Shockley that in his report, 16 and it was given to me by Thomas Goggins. 17 Q. And do you have a copy of that report? 18 A. No. I got it the day of trial, because 19 Goggins had it and showed it to me. I 20 read the whole thing. 21 Q. Okay. What else did NSM -- 22 A. But I think my attorney has a copy of that 23 report.</p>

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<p>1 MR. STEWART: Do you? Do you</p> <p>2 have it here, I mean?</p> <p>3 MS. NICKSON: No, I don't.</p> <p>4 Q. I think I asked in my deposition notice</p> <p>5 for all evidence that you had in support</p> <p>6 of the claim to be brought to the</p> <p>7 deposition.</p> <p>8 A. See, I don't have that information. It</p> <p>9 was made available. She could have gotten</p> <p>10 it out of the courts. It's an open case</p> <p>11 here. I never got anything.</p> <p>12 Q. Let me mark as Defendant's 2 to your</p> <p>13 deposition -- and I've got a copy for you</p> <p>14 and a copy for your counsel. Have you</p> <p>15 seen the notice of deposition for your</p> <p>16 deposition in this case?</p> <p>17 (The referred-to document was</p> <p>18 marked for identification as</p> <p>19 Defendant's Exhibit No. 2.)</p> <p>20 A. Yes, I've seen this.</p> <p>21 Q. And did you see where on Page 4 it asks</p> <p>22 you to bring documents to the deposition?</p> <p>23 A. Yes.</p>	<p>1 A. I have nothing.</p> <p>2 Q. You don't have any documents or any kind</p> <p>3 of tangible stuff that you've gathered?</p> <p>4 A. I have not gathered anything on it. I</p> <p>5 have not --</p> <p>6 Q. Or copies you've made while you were at</p> <p>7 NSM that you kept?</p> <p>8 A. No.</p> <p>9 Q. No listing of damages that you claim in</p> <p>10 this case?</p> <p>11 A. No.</p> <p>12 Q. No expert reports?</p> <p>13 A. No.</p> <p>14 Q. Any letters back and forth between any of</p> <p>15 the defendants and you?</p> <p>16 A. No. I never talked to them. The last</p> <p>17 time I talked to one of the defendants is</p> <p>18 before I left Alabama, which I thought</p> <p>19 that whole thing was over after I got</p> <p>20 arrested and I got acquitted, but they</p> <p>21 came back again -- Cliff Johnson and</p> <p>22 Anthony Green, another investigator, he</p> <p>23 took over the case and was still</p>
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<p>1 Q. And have you made an effort to bring those</p> <p>2 documents to your deposition?</p> <p>3 A. I don't have these documents. I never had</p> <p>4 them in my possession.</p> <p>5 Q. You never had any of these documents?</p> <p>6 A. I never had any of these documents in my</p> <p>7 possession.</p> <p>8 Q. When you say in your possession --</p> <p>9 A. I never had --</p> <p>10 Q. Whose possession were they in?</p> <p>11 A. In the State of -- Medicaid's possession.</p> <p>12 Q. Okay. Well, you've mentioned a couple of</p> <p>13 things that your attorney has.</p> <p>14 A. Well, Tommy Goggins was my attorney who</p> <p>15 defended me in my criminal trial, but I</p> <p>16 never got anything from him. He let me</p> <p>17 read that the day of court, and that was</p> <p>18 it. I left there empty-handed, without</p> <p>19 nothing. I read that sitting there in</p> <p>20 court before we went to trial, but I never</p> <p>21 -- he never gave it to me.</p> <p>22 Q. So you don't have any statements from</p> <p>23 anybody?</p>	<p>1 investigating, and he came back several</p> <p>2 months later asking me the same thing</p> <p>3 about the same stuff, and I told him the</p> <p>4 same thing.</p> <p>5 Q. Do you have any federal and state income</p> <p>6 tax returns for the last five years?</p> <p>7 A. Last five years, my divorce lawyer --</p> <p>8 judge ruled for Chris to get those, so</p> <p>9 Chris got those.</p> <p>10 Q. You don't have any?</p> <p>11 A. No. Chris owes some taxes, responsible</p> <p>12 for taxes, so he has them. They're here</p> <p>13 in Alabama; Chris still lives here. But I</p> <p>14 do have -- excuse me. I have the one from</p> <p>15 Hyundai.</p> <p>16 Q. And where is that?</p> <p>17 A. Actually, it's in my -- my car downstairs.</p> <p>18 From January to March of that year, at</p> <p>19 Hyundai.</p> <p>20 Q. Have you tape-recorded anybody?</p> <p>21 A. Never. No, sir.</p> <p>22 Q. Any photographs or videotape of anybody?</p> <p>23 A. No.</p>

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<p>1 MS. NICKSON: Could I ask --</p> <p>2 what's the year on that tax</p> <p>3 return?</p> <p>4 THE WITNESS: That year that</p> <p>5 Hyundai fired me. It was in</p> <p>6 2006, so it was that -- from</p> <p>7 January 2nd to March -- when</p> <p>8 I got fired. It was only</p> <p>9 three months.</p> <p>10 MS. NICKSON: Can I fax that over</p> <p>11 to you?</p> <p>12 MR. STEWART: Yes.</p> <p>13 Q. You were asked to produce a copy of all</p> <p>14 prescriptions or the front label off all</p> <p>15 prescription containers. Did you do that?</p> <p>16 A. Yes.</p> <p>17 Q. Huh?</p> <p>18 A. I e-mailed them I thought. Maybe I did</p> <p>19 not. I pulled them off the internet, so</p> <p>20 --</p> <p>21 MS. NICKSON: Just for the</p> <p>22 record, I think those are</p> <p>23 the ones that I produced in</p>	<p>1 that it's anybody's right if they have any</p> <p>2 suspicions to report anything about</p> <p>3 Medicaid. And she found -- she had no</p> <p>4 probable cause of finding me guilty.</p> <p>5 Q. But you did report to Medicaid?</p> <p>6 A. I did not report to Medicaid. I didn't</p> <p>7 tell Medicaid nothing. They called me. I</p> <p>8 left there, EDS -- I left there, National</p> <p>9 Seating, went to work at EDS; worked at</p> <p>10 EDS nine months and went to Hyundai. I</p> <p>11 never, ever said anything about National</p> <p>12 Seating to Medicaid, ever. I never talked</p> <p>13 to Felicia, never talked to -- Felicia</p> <p>14 Barrow; I never talked to Cliff Johnson; I</p> <p>15 never talked to Anthony Green; I never</p> <p>16 talked to any of them.</p> <p>17 Q. And Medicaid took no action against</p> <p>18 National Seating, did they?</p> <p>19 A. I have no idea. All I know, after I</p> <p>20 thought this was over, another</p> <p>21 investigator came, Anthony Green. He's</p> <p>22 the one who found Chasely Weeks. So when</p> <p>23 he came to talk to me at my home and he</p>
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<p>1 this case.</p> <p>2 MR. STEWART: I got those. Thank</p> <p>3 you.</p> <p>4 MS. NICKSON: Okay.</p> <p>5 Q. So there are no other documents that</p> <p>6 respond to this that you have --</p> <p>7 A. I have no documents.</p> <p>8 Q. -- or that you've given to your lawyer?</p> <p>9 A. I don't have anything.</p> <p>10 Q. Who testified at your trial? Felicia</p> <p>11 Barrow, Don Williams, Gerald Shockley?</p> <p>12 A. Mike and Mike Roeder, and I don't know the</p> <p>13 other gentleman, the prosecutor.</p> <p>14 Q. Okay. Who was your judge?</p> <p>15 A. I don't know her name.</p> <p>16 Q. What did she say?</p> <p>17 A. After we went through the discussion of it</p> <p>18 wasn't me who contacted Medicaid and</p> <p>19 Felicia verified that it was that they</p> <p>20 contacted me and we got to talking about</p> <p>21 -- she told Gerry Shockley that it was</p> <p>22 anybody's right -- they were wrong for</p> <p>23 arresting me on no cause, and she said</p>	<p>1 recorded that conversation, he found</p> <p>2 Chasely Weeks. I don't know what went on</p> <p>3 from there, and from there, I was gone; I</p> <p>4 left and moved. All I know is it was</p> <p>5 reported, so Medicaid has that.</p> <p>6 Q. What information did National Seating give</p> <p>7 the attorney general's office that</p> <p>8 resulted in your arrest?</p> <p>9 A. I don't know what National Seating gave</p> <p>10 them. I have no idea. There was no</p> <p>11 evidence produced. All I know is what</p> <p>12 Medicaid gave Mike Roeder in court.</p> <p>13 That's all I've seen.</p> <p>14 Q. What information did Don Williams give to</p> <p>15 Alabama Medicaid that resulted in your</p> <p>16 arrest?</p> <p>17 A. He gave nothing to them.</p> <p>18 MR. WALKER: I'm sorry. Would</p> <p>19 you say that again, please?</p> <p>20 THE WITNESS: Nothing to them</p> <p>21 that I -- nothing to them.</p> <p>22 Q. Do you claim in this case that there's</p> <p>23 some type of conspiracy between National</p>

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<p>1 Seating and Don Williams and the State of 2 Alabama against you? 3 A. Wait a minute. First of all, no, I don't 4 think there's any conspiracy, because if 5 it was, then Felicia wouldn't have told 6 the judge in court that it was she and 7 Cliff who called me; I never came to them. 8 I don't think that at all. So -- but Don 9 and them's testimony to Gerry Shockley by 10 stating that we were friends had a lot to 11 do with it, because that was the first 12 thing that Gerry Shockley asked Felicia, 13 about our relationship, in front of Cliff 14 Johnson. 15 Q. But you weren't prosecuted for being 16 friends with Felicia Barrow. 17 A. I was prosecuted based on that and filing 18 a false report. Somebody said I filed a 19 report, and I never filed anything. 20 Q. Who is it that said you filed a report? 21 A. Gerald Shockley said I filed a report. 22 Don Williams said I filed a report. 23 Q. Don Williams said you filed a report?</p>	<p>1 Q. They being? 2 A. Cliff Johnson and Felicia Barrow. And at 3 that time, I was working at Hyundai. 4 Q. And to your knowledge, National Seating 5 never went to the State or the Medicaid 6 agency and said, investigate Elizabeth 7 Horton, did they? 8 A. I never knew. No, sir. 9 Q. And did you give names to the attorney 10 general's office of people to investigate? 11 A. No. 12 Q. Did you give names to the attorney 13 general's office of people who allegedly 14 did not receive wheelchairs or anything 15 like that? 16 A. No, I didn't. I cannot tell you who did 17 not receive a wheelchair or not. I wasn't 18 even there long enough to even know. Like 19 I said, they came to me and they told me 20 this stuff, Felicia and Cliff. 21 Q. And you're not claiming that National 22 Seating swore out a warrant against you, 23 are you?</p>
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<p>1 A. Yes. 2 Q. When did he say that? 3 A. He said I filed a report with Medicaid and 4 made those allegations saying they were 5 doing something wrong because he fired me. 6 Q. That doesn't have anything to do with your 7 arrest. 8 A. If they're saying that I'm making the 9 report and it comes out, you know, they 10 think I lied on him for being fired and I 11 filed a report, then why was I arrested, 12 then, if I didn't do that -- if that 13 didn't result in my arrest. Why was I 14 arrested, then? This states I filed a 15 false report with a law enforcement 16 agency. If the judge asks where did I go 17 to file a report -- I didn't file a report 18 anywhere. No report was produced at all. 19 So in other words, what I'm saying is, 20 when I left National Seating and went to 21 work at EDS, I had no contact with 22 National Seating or Felicia Barrow ever 23 again until they contacted me.</p>	<p>1 A. I don't know who had the -- all I know is 2 that I was arrested. I don't know why. 3 Q. Let me rephrase the question this way, 4 then: Do you have any evidence that 5 National Seating swore out a warrant 6 against you? 7 A. I don't. 8 Q. Do you have evidence that National Seating 9 did anything other than respond to the 10 attorney general's investigation's 11 questions? 12 A. I don't. 13 Q. And do you have any evidence that Don 14 Williams swore out a warrant against you 15 for your arrest? 16 A. I don't have any evidence at all. 17 Q. Okay. Are you aware of any type of 18 agreement between the State and National 19 Seating and Don Williams to have you 20 arrested? 21 A. No. 22 Q. Are you aware of any official policy that 23 National Seating has that resulted in your</p>

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<p>1 arrest?</p> <p>2 A. No.</p> <p>3 Q. Have you thought of any other jobs that</p> <p>4 you've had that we haven't discussed?</p> <p>5 A. No.</p> <p>6 Q. You're claiming damages in this case. Can</p> <p>7 you tell us what the damages are that</p> <p>8 you're seeking?</p> <p>9 A. The damages in this case that I'm seeking</p> <p>10 is, you know, first of all, I was arrested</p> <p>11 and I was in jail overnight. I had nobody</p> <p>12 here. Only person I knew here was my</p> <p>13 ex-husband and his family, so I didn't</p> <p>14 have no family here, so I had to stay in</p> <p>15 jail until my family came and got me</p> <p>16 because he and I were separated. Then I</p> <p>17 come to find out that, you know, later to</p> <p>18 learn that, you know, I get to work, and</p> <p>19 they start asking me about this false</p> <p>20 reporting to a law enforcement --</p> <p>21 questioning me about that in General</p> <p>22 Affairs. And between -- I didn't even</p> <p>23 know what was going on. But I got called</p>	<p>1 well, the investigation with National</p> <p>2 Seating had been going on a year prior to</p> <p>3 my working there and had been initiated by</p> <p>4 Chasely Weeks and that he wanted to go</p> <p>5 over everything that happened -- you know,</p> <p>6 happened between me and Don and everything</p> <p>7 again. And he asked me did I mind him</p> <p>8 recording us, and I said, sure don't, not</p> <p>9 at all. And he's the last person I've</p> <p>10 seen before I left here. I never talked</p> <p>11 to him ever again. The only thing I know</p> <p>12 is I never seen him or talked to him</p> <p>13 again.</p> <p>14 Q. We were talking about your money damages</p> <p>15 in the case. Are there any other --</p> <p>16 A. So money damages is that -- you know, I</p> <p>17 had to find another job. I had</p> <p>18 responsibility, you know, to myself, my</p> <p>19 credit, my kids, a responsibility. I</p> <p>20 always worked two jobs all my life, and to</p> <p>21 be without a job because of stuff like</p> <p>22 this -- and my character and you're</p> <p>23 questioning me about it, yeah, that's</p>
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<p>1 up on that several times.</p> <p>2 Q. Anything else?</p> <p>3 A. So then, you know, eventually assignments</p> <p>4 were not given to me anymore. You know,</p> <p>5 if there was -- if my manager had anything</p> <p>6 to say to me, he'd just put it on my desk</p> <p>7 and keep going, because they truly thought</p> <p>8 I was lying because those officers came</p> <p>9 out there. And it was pretty much -- in</p> <p>10 detail, they really want to know why they</p> <p>11 come out there to Hyundai. So I was let</p> <p>12 go in March, applied for Baptist. And I</p> <p>13 go there -- there was no reason for me to</p> <p>14 stay here. I need to get somewhere that I</p> <p>15 can forget about this mess. And before I</p> <p>16 left here, like I said, it was Anthony</p> <p>17 Green -- one day I came home from the</p> <p>18 doctor -- Dr. Adams and seeing Dr. Wool,</p> <p>19 and there was a note and little card in my</p> <p>20 door from Medicaid, and it was Anthony</p> <p>21 Green, and he wanted me to give him a</p> <p>22 call. I gave him a call asking why he was</p> <p>23 leaving a note in my door, and he said,</p>	<p>1 damaging right there. Being in jail was</p> <p>2 insulting enough and having people reading</p> <p>3 it, saying they saw it in the newspaper.</p> <p>4 Q. Was it in the newspaper?</p> <p>5 A. I never picked up the newspaper, but I was</p> <p>6 told by my ex-husband it was in the</p> <p>7 newspaper; he brought it to work. I</p> <p>8 glanced over it, and to tell you the</p> <p>9 truth, I just looked at it.</p> <p>10 Q. And so if I understand you correctly,</p> <p>11 you're claiming that your job at Hyundai</p> <p>12 was lost as a direct result of this arrest</p> <p>13 that occurred?</p> <p>14 A. They questioned me about that up until the</p> <p>15 point I left there.</p> <p>16 Q. Do you claim that Hyundai just came up</p> <p>17 with an excuse for letting you go once</p> <p>18 they found out that you had been arrested?</p> <p>19 A. Well, you know, my performance was very,</p> <p>20 very good. I had never been written up on</p> <p>21 anything, never missed a day of work. I</p> <p>22 mean, my performance was the best. I had</p> <p>23 gotten three raises in one year. Then all</p>

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<p>1 of a sudden, you know, you go through a --</p> <p>2 if you screw up on anything, you go</p> <p>3 through a process of your first corrective</p> <p>4 action, second corrective action, third</p> <p>5 corrective action. I had never been on</p> <p>6 anything at all, nothing at all. And the</p> <p>7 day that I was fired, it wasn't even -- HR</p> <p>8 never fired me; it was some other manager</p> <p>9 that wasn't even my manager that -- still</p> <p>10 to this day, they say they never fired me,</p> <p>11 but somehow I'm not there anymore.</p> <p>12 Q. Hyundai says they never fired you?</p> <p>13 A. My paper was never signed by HR.</p> <p>14 Q. Did they tell you that you were terminated</p> <p>15 for sexual harassment of a co-employee?</p> <p>16 A. They said that I caused -- I read that</p> <p>17 piece of paper saying that I harassed a --</p> <p>18 one of the employees said that I sexually</p> <p>19 harassed him, asked him out for a date,</p> <p>20 asked him if -- oh, asked him if he wanted</p> <p>21 to go out on a date, that I showed my -- I</p> <p>22 had on a skirt at work and he showed like</p> <p>23 -- and he saw my legs. See, I never wore</p>	<p>1 wouldn't have kept questioning me about</p> <p>2 them five officers coming out there on the</p> <p>3 job and questioning General Affairs, is</p> <p>4 she here; is she not here; does she still</p> <p>5 work here? You know, it caused them an</p> <p>6 inconvenience, so -- and then later, when</p> <p>7 Tommy recanted his story, saying it wasn't</p> <p>8 true what he said, then I was already gone</p> <p>9 by then.</p> <p>10 Q. Okay. Any other element of your damage</p> <p>11 claim that we haven't discussed?</p> <p>12 A. I had to move away from here to get a job.</p> <p>13 Q. We talked about that.</p> <p>14 A. Yeah.</p> <p>15 Q. Anything else?</p> <p>16 A. It even hurt my kids. My kids had to come</p> <p>17 here to get me out of jail, worrying about</p> <p>18 what was going to happen to me, almost</p> <p>19 quit college. You know, my family was</p> <p>20 terrified by this. We're good people. We</p> <p>21 don't do stuff like that. Hurt my kids.</p> <p>22 Hurt my family.</p> <p>23 Q. Anything else?</p>
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<p>1 a skirt at work. And first of all, it was</p> <p>2 the same guy that I lent out my money to,</p> <p>3 you know, over the whole year that I</p> <p>4 worked there. And, of course, I was</p> <p>5 asking him for my money. I was definitely</p> <p>6 asking him every day for my \$300 that he</p> <p>7 bounced the check. Yeah, I harassed him</p> <p>8 for it. Sexual harassment? No.</p> <p>9 Q. Did Hyundai tell you they were letting you</p> <p>10 go for sexual harassment?</p> <p>11 A. They said they let me go for sexual --</p> <p>12 something in that nature. They never said</p> <p>13 that -- sexual harassment, they didn't say</p> <p>14 that. Acting in a sexual nature,</p> <p>15 something like that. I forgot how they --</p> <p>16 I turned it over to the employment office.</p> <p>17 Q. You're not saying that you left Hyundai</p> <p>18 voluntarily, are you?</p> <p>19 A. I'm saying that they wouldn't let me back</p> <p>20 in the gates.</p> <p>21 Q. And you're blaming your loss of your job</p> <p>22 at Hyundai on this arrest?</p> <p>23 A. Yeah, I pretty much do, because they</p>	<p>1 A. Anything else you can think of?</p> <p>2 Q. That's what I'm asking you, ma'am.</p> <p>3 A. No.</p> <p>4 Q. When did you first see a doctor for any</p> <p>5 kind of problems that arose out of your</p> <p>6 being arrested?</p> <p>7 A. November 26th of 2006, when I moved to</p> <p>8 Texas. Before then, I saw Dr. Adams in</p> <p>9 Montgomery.</p> <p>10 Q. Dr. Kynard Adams?</p> <p>11 A. Yes, Dr. Kynard Adams.</p> <p>12 Q. What kind of doctor is he?</p> <p>13 A. He's a family doctor, family practice.</p> <p>14 Q. Had you been going to him before you were</p> <p>15 arrested?</p> <p>16 A. Yes.</p> <p>17 Q. Why did you see him before you were</p> <p>18 arrested?</p> <p>19 A. Zyrtec -- you know, I moved here and</p> <p>20 allergies -- Zyrtec. High blood pressure.</p> <p>21 I'd gained weight and had high blood</p> <p>22 pressure, and he prescribed me that. And</p> <p>23 then when Chris and I were going</p>

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<p>1 through -- you know, when I asked Chris to 2 move, I was a little bit -- a little bit 3 worried about that, you know, so I asked 4 him to prescribe me something to sleep. 5 Q. Okay. So he prescribed Ambien? 6 A. Yeah. It was Ambien and something else 7 after Ambien wouldn't work anymore. 8 MR. STEWART: Do y'all want to 9 take a break? 10 MR. WALKER: Okay. 11 (Brief recess.) 12 Q. So did you start seeing Dr. Kynard Adams 13 once you moved to Montgomery? 14 A. Yeah, later on. 15 Q. And did you see him before or after the 16 arrest? 17 A. I saw him before the arrest, for Zyrtec. 18 Q. And did Chris and your divorce happen 19 before or after the arrest? 20 A. Our divorce happened after the arrest. 21 Q. After the arrest. And I thought you said 22 that you were in jail and that the only 23 person that --</p>	<p>1 Chris from jail. 2 A. Yes. 3 Q. Did you ask him to get you out? 4 A. Yes. My money was at home. 5 Q. Okay. And why didn't he get you out? 6 A. Well, Chris and I were on the phone when 7 they -- the night they came and arrested 8 me, so Chris was -- we had a discussion 9 about him wanting to come back home, and I 10 said no. So when the police came to go 11 arrest me, I put down the phone and Chris 12 heard them. So the sheriff's department, 13 one of the guys told me to tell Chris 14 where they were taking me, and I did and 15 told Chris that the money was in my purse 16 and he can come bail me out. So Chris -- 17 I thought he was coming, and they let me 18 make a phone call to him, and he said no 19 because, you know, we weren't getting back 20 together. 21 Q. Okay. And so how did you get out of jail? 22 A. My family came and got me out of jail. 23 Q. Had you seen Dr. Verna Wool before you</p>
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<p>1 A. We were separated; we weren't divorced. 2 Q. Okay. Which would explain why you didn't 3 feel like you could call your husband you 4 were separated from to get you out of 5 jail? 6 MR. WALKER: Object to the form. 7 THE WITNESS: Excuse me? 8 MS. NICKSON: He just objected. 9 Q. You were still married at the time of your 10 arrest? 11 A. Yes. 12 Q. You were separated? 13 A. Yes. We separated in August -- actually, 14 we separated June 16th. 15 Q. Of? 16 A. 2005. 17 Q. Did you call Chris to get you out of jail? 18 A. See, Chris and I was on the phone when the 19 -- 20 Q. It would make this deposition go a lot 21 faster if you just answered the question. 22 I know you've got a lot you want to say, 23 but my simple question was, did you call</p>	<p>1 were arrested? 2 A. Yes, because -- yeah. Dr. Kynard gave her 3 name to Chris and I. 4 Q. And what kind of doctor is she? 5 A. Clinical psychologist or marriage 6 counselor. She has several different 7 titles. She's worked in several different 8 divisions. We went to see her for 9 marriage problems. 10 Q. Is that all you saw her for? 11 A. At that time. 12 Q. And then you later saw her for what? 13 A. Chris quit seeing her. He went three 14 visits. Because we weren't getting back 15 together, and so he went three times, but 16 I continued to see her after the arrest 17 and to talk to her about the arrest. I 18 talked to her about, you know, moving on 19 in life, about the marriage. We talked 20 about everything. 21 Q. Okay. 22 A. And let me just say this. Because 23 Dr. Kynard and -- Dr. Kynard and I and</p>

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<p>1 Chris, all of us, we bowled together. So</p> <p>2 I knew Dr. Kynard before I even moved to</p> <p>3 Alabama. He was at my wedding. So we all</p> <p>4 bowled together. Even while I was</p> <p>5 separated from my husband, we still bowled</p> <p>6 together. So he was the only doctor that</p> <p>7 I would have seen, because he's the one I</p> <p>8 knew through my in-laws.</p> <p>9 Q. Okay. Dr. Ken Looney, what kind of doctor</p> <p>10 is he?</p> <p>11 A. He's a family practitioner -- a family</p> <p>12 doctor in Texas.</p> <p>13 Q. And did you start seeing him after you</p> <p>14 moved to Texas?</p> <p>15 A. No, I -- not right -- well, in November I</p> <p>16 started seeing him, because I thought I</p> <p>17 was pretty much okay. I had moved away</p> <p>18 from Montgomery, and I was okay.</p> <p>19 Q. And we're talking about November of '06;</p> <p>20 is that right?</p> <p>21 A. Yes.</p> <p>22 Q. Dr. Tajani? When did you start seeing</p> <p>23 him?</p>	<p>1 Q. Did you ever have annual physicals?</p> <p>2 A. I can't say I have had them every year,</p> <p>3 no.</p> <p>4 Q. Okay. I'm sorry. You were arrested</p> <p>5 August 5 of '06. I said '05, didn't I? I</p> <p>6 meant August '06. Before August 5, '06,</p> <p>7 had any doctor treated you in Montgomery</p> <p>8 other than Dr. Kynard Adams?</p> <p>9 A. I was in the hospital.</p> <p>10 Q. What for?</p> <p>11 A. Well, I had a -- just whenever everything</p> <p>12 went on, I think it was the -- it wasn't</p> <p>13 -- I went to the hospital and told them,</p> <p>14 you know, I felt like, you know, I just --</p> <p>15 I couldn't sleep anymore; I couldn't eat;</p> <p>16 and I just needed to go somewhere before I</p> <p>17 do some harm to myself. And they sent me</p> <p>18 to somewhere -- some place they keep you</p> <p>19 in, in Alabama, and Dr. Kynard came to see</p> <p>20 me in there.</p> <p>21 Q. And when was that?</p> <p>22 A. It was after my arrest. It was in -- it</p> <p>23 could have been in September, October, one</p>
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<p>1 A. Dr. Looney referred me to him in November.</p> <p>2 Q. Of '06?</p> <p>3 A. '06.</p> <p>4 Q. Okay. And Dr. Cheryl Bowie?</p> <p>5 A. She's a counselor who I've seen after I</p> <p>6 got out of the partial hospital patient</p> <p>7 program.</p> <p>8 Q. Before your -- see, I'm bad with dates. I</p> <p>9 apologize. Before your arrest in August</p> <p>10 of '05, had you ever been treated by a</p> <p>11 psychiatrist or a psychologist?</p> <p>12 A. No.</p> <p>13 Q. Are there any doctors that have treated</p> <p>14 you in Montgomery other than Dr. Wool or</p> <p>15 Dr. Adams for any reason?</p> <p>16 A. No.</p> <p>17 Q. Any reason whatsoever?</p> <p>18 A. For -- like I said, not for any other</p> <p>19 reason -- them are the only two I've seen.</p> <p>20 Q. Okay. And before you moved to Montgomery,</p> <p>21 did you have a doctor that you saw on a</p> <p>22 regular basis?</p> <p>23 A. No, I didn't.</p>	<p>1 of the -- I don't know. It was one of</p> <p>2 those places, suicide -- when people have</p> <p>3 suicide, they send you there.</p> <p>4 Q. What town was it in?</p> <p>5 A. Montgomery.</p> <p>6 Q. How long did you stay there?</p> <p>7 A. I stayed there overnight. And Dr. Kynard</p> <p>8 came the next morning and, you know, and</p> <p>9 -- Lexapro, I think, and we talked. And I</p> <p>10 went home at that point in time when I</p> <p>11 felt like it was -- when I really just sat</p> <p>12 and thought about it, you know, what</p> <p>13 happened, I was in a state that I wasn't</p> <p>14 good at, so I went to the hospital to get</p> <p>15 some help.</p> <p>16 Q. Had you ever been to a hospital before for</p> <p>17 any type of suicidal thoughts?</p> <p>18 A. No.</p> <p>19 Q. Had you ever been to a hospital before for</p> <p>20 any type of mental condition?</p> <p>21 A. No.</p> <p>22 Q. Had you ever been prescribed medication</p> <p>23 before your arrest in August of '06 for</p>

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<p>1 stress-related conditions?</p> <p>2 A. No.</p> <p>3 Q. Had you ever been prescribed medication</p> <p>4 before your arrest for sleep problems?</p> <p>5 A. No.</p> <p>6 Q. Had you ever been placed on medication for</p> <p>7 any type of anxiety?</p> <p>8 A. No.</p> <p>9 Q. Or any type of mental problem at all?</p> <p>10 A. No.</p> <p>11 Q. Okay. And if I'm understanding you</p> <p>12 correctly, from August 5, '06 until</p> <p>13 November 2006, you did not seek any</p> <p>14 treatment from a doctor?</p> <p>15 A. Repeat that, please.</p> <p>16 Q. Between the date of the arrest, 8/5/06 and</p> <p>17 November of '06, you did not seek</p> <p>18 treatment from a doctor, correct?</p> <p>19 A. August '06, did you say? I'm sorry. I</p> <p>20 couldn't hear you correctly.</p> <p>21 Q. Well, you were arrested on August 5, 2006?</p> <p>22 A. Yes.</p> <p>23 Q. The very first time you saw a doctor after</p>	<p>1 you see a doctor during those three</p> <p>2 months?</p> <p>3 A. Uh-huh.</p> <p>4 MR. WALLACE: Let me say</p> <p>5 interrupt and say I think we</p> <p>6 have the date of the arrest</p> <p>7 wrong. It's 2005, which is</p> <p>8 what you were originally</p> <p>9 saying, and now you've</p> <p>10 flipped over to August 2006.</p> <p>11 MR. STEWART: Because I've</p> <p>12 written down in my notes</p> <p>13 here August 5, '06 and</p> <p>14 underlined it.</p> <p>15 MR. WALLACE: Regardless, it's</p> <p>16 the wrong date.</p> <p>17 MR. STEWART: Thank you.</p> <p>18 MR. WALLACE: It's just going to</p> <p>19 create more confusion in the</p> <p>20 record.</p> <p>21 Q. I want you to assume the arrest was on</p> <p>22 August 5, 2005 and not 2006 as we have</p> <p>23 been saying. When was the very first time</p>
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<p>1 that date was in November of 2006?</p> <p>2 A. No. I've seen Dr. Kynard -- not for that</p> <p>3 -- Dr. Kynard for Zyrtec, allergy</p> <p>4 problems. And I saw Dr. Kynard for -- I</p> <p>5 realized I was anemic. My first initial</p> <p>6 contact, I was anemic; he prescribed me</p> <p>7 iron pills; and then for -- realized I had</p> <p>8 high blood pressure. I realized that when</p> <p>9 I did my physical for Hyundai; my blood</p> <p>10 pressure was high.</p> <p>11 Q. Okay.</p> <p>12 A. So Dr. Kynard prescribed me those things.</p> <p>13 Q. Okay. Is that in between August 5, 2006</p> <p>14 and November of 2006?</p> <p>15 A. It was before -- I saw Dr. Kynard around</p> <p>16 April or May '04 for Zyrtec, when I found</p> <p>17 out I had sinus problems. That's the only</p> <p>18 thing I've seen him for.</p> <p>19 Q. Okay. I'm going to ask the question</p> <p>20 again, because we obviously didn't</p> <p>21 understand each other. I'm asking you</p> <p>22 between two dates, and the dates I'm using</p> <p>23 are August 5, 2006 and November 2006. Did</p>	<p>1 you sought medical treatment after August</p> <p>2 5, 2005?</p> <p>3 A. September.</p> <p>4 Q. Of?</p> <p>5 A. September '05.</p> <p>6 Q. So it would have been within a month or</p> <p>7 after a month or at a month?</p> <p>8 A. Within that month. Within that two-week</p> <p>9 span after I got out of jail. That's when</p> <p>10 I got put on some Lexapro or Prozac or</p> <p>11 something like that.</p> <p>12 Q. Okay. You said within a two-week span.</p> <p>13 That two-week span is still in August.</p> <p>14 A. Well, I'm assuming -- it could be longer</p> <p>15 than that, because actually, I was already</p> <p>16 seeing Dr. Wool, and she had to call him</p> <p>17 to get me the medicine.</p> <p>18 Q. You had already been seeing Dr. Wool for</p> <p>19 your marital problems?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And when was the first time you</p> <p>22 actually saw a psychiatrist after August</p> <p>23 5, 2005?</p>

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<p>1 A. November.</p> <p>2 Q. Of 2006?</p> <p>3 A. Yes.</p> <p>4 Q. And when was it that you were sent to the</p> <p>5 hospital because you felt like you</p> <p>6 couldn't rest or sleep and you were</p> <p>7 feeling suicidal?</p> <p>8 A. September of 2005.</p> <p>9 Q. You're sure that was the month after the</p> <p>10 arrest?</p> <p>11 A. Maybe -- more or less. I know I was there</p> <p>12 during that time. It was in '05.</p> <p>13 Q. And just so the record is clear, before --</p> <p>14 A. I can't say for sure.</p> <p>15 Q. Before August 5, 2005, had you ever been</p> <p>16 treated by a psychiatrist?</p> <p>17 A. No.</p> <p>18 Q. And the only psychologist that you had</p> <p>19 ever treated with was a marriage</p> <p>20 counselor?</p> <p>21 A. Well, see, she's a clinical psychologist</p> <p>22 and she deals in marriage problems also,</p> <p>23 so on her door it's got clinical</p>	<p>1 Q. Let's start with -- I think I've got a</p> <p>2 list here somewhere. Well, Alprazolam.</p> <p>3 What's that for?</p> <p>4 A. That's a form of anxiety.</p> <p>5 Q. Are you still on it?</p> <p>6 A. I'm still on it. Called Clonazepam right</p> <p>7 now; that's a generic type that I</p> <p>8 regularly take.</p> <p>9 Q. Okay. Avalide?</p> <p>10 A. That's blood pressure medicine.</p> <p>11 Q. You were on that before the arrest?</p> <p>12 A. Yes.</p> <p>13 Q. Were you on Alprazolam before the arrest?</p> <p>14 A. Was I on it before the arrest?</p> <p>15 Q. Uh-huh.</p> <p>16 A. Yes.</p> <p>17 Q. How long had you been on Alprazolam?</p> <p>18 A. Let me rephrase. I started at Hyundai the</p> <p>19 February -- I got on it in February of</p> <p>20 2004, the Avalide, and -- actually, I came</p> <p>21 off of it, because he put me on it for</p> <p>22 three months. I was on it February,</p> <p>23 March, April, and May -- that's 2004 --</p>
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<p>1 psychologist and psychiatrist in medical</p> <p>2 problems, so she was within one. That's</p> <p>3 who Dr. Kynard sent us to.</p> <p>4 Q. Right. But the --</p> <p>5 A. But she didn't treat me for psychiatry;</p> <p>6 she treated me for marriage problems.</p> <p>7 Q. Solely; is that correct?</p> <p>8 A. Well, in the beginning.</p> <p>9 Q. Right.</p> <p>10 A. And then after I got arrested, so she --</p> <p>11 we went through that phase.</p> <p>12 Q. That's all I'm talking about, is before</p> <p>13 the arrest. She had never treated you for</p> <p>14 anything other than marriage counseling?</p> <p>15 A. That's it.</p> <p>16 Q. That's it, okay.</p> <p>17 A. And that was in May of 2005, the first</p> <p>18 time I ever saw her -- Chris and I</p> <p>19 together.</p> <p>20 Q. Okay. You're on a number of medications.</p> <p>21 Are you familiar with what each of them</p> <p>22 does?</p> <p>23 A. Yes.</p>	<p>1 because my blood pressure was fine, so he</p> <p>2 -- and he put me on some potassium</p> <p>3 tablets. So I came back on it right</p> <p>4 before the marriage counselor.</p> <p>5 Q. Right before March of 2005?</p> <p>6 A. Yeah.</p> <p>7 Q. Okay. The Alprazolam, the anxiety</p> <p>8 medicine, were you on that before the</p> <p>9 arrest?</p> <p>10 A. No.</p> <p>11 Q. The Effexor, what is that?</p> <p>12 A. That's depression.</p> <p>13 Q. How long have you been on it?</p> <p>14 A. Since the arrest.</p> <p>15 Q. Never before?</p> <p>16 A. No.</p> <p>17 Q. Lexapro?</p> <p>18 A. That's depression.</p> <p>19 Q. Are you still on it?</p> <p>20 A. No. I've got another -- different type</p> <p>21 I'm on.</p> <p>22 Q. Are you still on the Effexor?</p> <p>23 A. No, the medicine's been switched now.</p>

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<p>1 Q. Had you ever been on Lexapro before the 2 arrest? 3 A. No. 4 Q. Azithromycin, what is that? Or 5 Azithromycin? 6 A. Can I see that, please? 7 Q. A-Z-I-T-H-O-R-M-Y-C-I-N. 8 A. That's a form of anxiety medicine. 9 Q. Are you still on it? 10 A. Clonazepam, yes. Same family, but not 11 that brand, a different brand of anxiety 12 medicine. And I'm not on that. 13 Q. Had you been on that before the arrest? 14 A. No. 15 Q. Vigamox eye drops? 16 A. Yes. When I was working for National 17 Seating, I got an eye infection, so -- 18 from my contact lens, so I've been on some 19 eye drops for that. 20 Q. Do you still take that? 21 A. No. 22 Q. Glutofac MX? 23 A. That is for -- it's a form of mineral with</p>	<p>1 arrest? 2 A. I wasn't on the Lotrel. I was on the 3 blood pressure medicine, and it stopped 4 working to keep my blood pressure down, so 5 after the arrest, Dr. Kynard had to give 6 me Lotrel to keep it -- because I was at 7 the stroke point. 8 Q. Okay. And so that was all after the 9 arrest? You never had it before the 10 arrest? 11 A. I was on Avalide before the arrest. 12 Q. But the Lotrel was after the arrest only; 13 is that right? 14 A. That's correct. 15 Q. Biacin? 16 A. Biacin? 17 Q. B-I-A-X-I-N? 18 A. That's a depression thing. 19 Q. Still on it? 20 A. No, another kind. 21 Q. Ever on it before the arrest? 22 A. No. 23 Q. Pseudo chlorpheniramine?</p>
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<p>1 iron and potassium, all that together. 2 Q. Are you still on that? 3 A. No. 4 Q. That's when you were anemic? 5 A. Yes. 6 Q. Trazodone? 7 A. Trazodone, that is a depression medicine. 8 Q. Are you still on that? 9 A. No. 10 Q. Were you ever on it before the arrest? 11 A. No. 12 Q. Ciproheptadine? 13 A. That is a form of depression. 14 Q. Still on it? 15 A. No, different kind. 16 Q. Never before the arrest? 17 A. No. 18 Q. Lotrel? 19 A. That is a -- a pill that you take with 20 your blood pressure medicine to keep your 21 blood pressure from escalating -- well, 22 elevating. It helps keep it down faster. 23 Q. Okay. And you were on that before the</p>	<p>1 A. That is an iron tablet. 2 Q. Still on it? 3 A. I take them every day. 4 Q. To prevent anemia? 5 A. Yes. 6 Q. Metronidazole? 7 A. I don't know -- I think that was for -- I 8 was experiencing some dizzy spells, so it 9 was -- I know that's for dizziness, and I 10 had experienced some dizzy spells 11 afterwards. 12 Q. Was that after the arrest only? 13 A. It was -- when he put me on the -- well, 14 when I get a little excited and upset, 15 then I get dizzy, so it was after the 16 arrest when I got on that. 17 Q. You never took it before the arrest? 18 A. No. 19 Q. Terconazole cream? 20 A. That is -- I broke out from being allergic 21 to some medicine, and that was a cream to 22 prevent me from hives. 23 Q. Was that after the arrest?</p>

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<p>1 A. Yeah.</p> <p>2 Q. Ever before?</p> <p>3 A. Never.</p> <p>4 Q. Propoxy-N/APAP?</p> <p>5 A. That is some medicine for -- depression</p> <p>6 medicine.</p> <p>7 Q. Are you still on it?</p> <p>8 A. It depends on if, you know, my other</p> <p>9 dosage, because -- I still have some, and</p> <p>10 they tell me, you know, to kind of monitor</p> <p>11 it, so I haven't taken it in about a month</p> <p>12 and a half.</p> <p>13 Q. Okay. When are you supposed to take it?</p> <p>14 A. You know, when I get to the point where I</p> <p>15 can't, you know, concentrate or sit still.</p> <p>16 I'm just feeling like I'm just totally out</p> <p>17 of whack, you know, feeling angry and</p> <p>18 everything. It helps me to stop</p> <p>19 stuttering, helps me to calm down along</p> <p>20 with the other depression medicine.</p> <p>21 Q. Okay. So you take it as needed?</p> <p>22 A. Yes.</p> <p>23 Q. And about how often does that mean?</p>	<p>1 Q. And how often are you taking that?</p> <p>2 A. Every night.</p> <p>3 Q. Propranolol? Am I pronouncing that right?</p> <p>4 A. For hands shaking.</p> <p>5 Q. Do you still take that?</p> <p>6 A. As needed.</p> <p>7 Q. Last time you took it? About two months</p> <p>8 ago?</p> <p>9 A. Over three months ago.</p> <p>10 Q. Okay. Are these the only doctors that</p> <p>11 you've seen in the last, say, ten years,</p> <p>12 that we've identified?</p> <p>13 A. Last ten years?</p> <p>14 Q. Uh-huh.</p> <p>15 A. Back home, Dr. -- in Marianna Arkansas,</p> <p>16 Dr. Leon Walden. He's a family doctor.</p> <p>17 Q. So if we take Wool, Adams, Looney, Tajani,</p> <p>18 Bowie, and Walden, are there any other</p> <p>19 doctors that you've treated with in the</p> <p>20 last ten years?</p> <p>21 A. Yeah, but -- no, no. I'm thinking about</p> <p>22 -- I moved to Iowa in 2001, and up until</p> <p>23 this point -- so Dr. Walden was way before</p>
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<p>1 A. Well, in the beginning, it was like every</p> <p>2 day. As I got better, controlling my</p> <p>3 hands shaking and my stuttering, and then</p> <p>4 she lowered the dosage. And right now I</p> <p>5 take it as needed because I'm more stable.</p> <p>6 I wasn't stable in the beginning.</p> <p>7 Q. Okay. And so how often do you take it</p> <p>8 now?</p> <p>9 A. I haven't taken it in a month and a half,</p> <p>10 almost six weeks.</p> <p>11 Q. Symbyax, S-Y-M-B-Y-A-X?</p> <p>12 A. Yes.</p> <p>13 Q. What's that?</p> <p>14 A. Depression. A form of depression -- manic</p> <p>15 depression.</p> <p>16 Q. Are you still taking that?</p> <p>17 A. No. I still have it. Depends. I have to</p> <p>18 monitor that.</p> <p>19 Q. When was the last time you took that?</p> <p>20 A. About two months ago.</p> <p>21 Q. Ambien I know is a sleeping pill. Are you</p> <p>22 still taking that?</p> <p>23 A. No, I take Lunesta now.</p>	<p>1 -- he was older than ten years.</p> <p>2 Q. Okay. In Iowa did you treat with any</p> <p>3 physicians?</p> <p>4 A. No.</p> <p>5 Q. Did you ever go see a doctor at all in</p> <p>6 Iowa?</p> <p>7 A. I only got a physical for my job.</p> <p>8 Q. And who was that, that gave that to you?</p> <p>9 A. Signa. Like a drug test.</p> <p>10 Q. Did you actually go see a doctor?</p> <p>11 A. No.</p> <p>12 Q. Did you go to the hospital?</p> <p>13 A. No.</p> <p>14 Q. Just a laboratory or something, is that</p> <p>15 it, that you got your drug test at?</p> <p>16 A. Yes, at LabCorp.</p> <p>17 Q. Okay. Where is LabCorp?</p> <p>18 A. In Iowa, Dubuque Iowa, for that job. It</p> <p>19 was Signa.</p> <p>20 Q. Okay. And any other doctors in Iowa?</p> <p>21 A. No.</p> <p>22 Q. Before your arrest, had you ever been</p> <p>23 hospitalized other than to give birth to</p>

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<p>1 children?</p> <p>2 A. Yeah, for my knee. I had an operation on</p> <p>3 my knee.</p> <p>4 Q. When was that?</p> <p>5 A. Back when I had the accident in '95 -- '4,</p> <p>6 whatever.</p> <p>7 Q. The car accident?</p> <p>8 A. Uh-huh.</p> <p>9 Q. Any other hospitalizations?</p> <p>10 A. No.</p> <p>11 Q. Is it Harris Methodist Springwood? Is</p> <p>12 that the Texas hospital?</p> <p>13 A. Yes, it is.</p> <p>14 Q. Is that the only hospital you've been to</p> <p>15 in Texas?</p> <p>16 A. Yes.</p> <p>17 Q. And then you were hospitalized here at</p> <p>18 Jackson Hospital?</p> <p>19 A. Jackson? I've never been hospitalized</p> <p>20 there.</p> <p>21 Q. Or Baptist South?</p> <p>22 A. Oh, I went there -- they sent me over to</p> <p>23 the place.</p>	<p>1 Q. They provide your health coverage?</p> <p>2 A. Let me pull my card. Let me make sure.</p> <p>3 Q. While you're doing that, you have been</p> <p>4 insured with Blue Cross Blue Shield?</p> <p>5 A. At Hyundai.</p> <p>6 Q. Okay. And other than Etna and Blue Cross</p> <p>7 Blue Shield, have you had health insurance</p> <p>8 with any other insurance carrier?</p> <p>9 A. No. This is with Etna and my Sprint card</p> <p>10 is with Walgreens. It's through Sprint.</p> <p>11 Q. What's the Etna contract number?</p> <p>12 A. 9786063380.</p> <p>13 Q. And is there a policy number?</p> <p>14 A. 603286.</p> <p>15 Q. Okay. And the Walgreens is also -- you</p> <p>16 have like a Walgreens Sprint card or</p> <p>17 something? Is that right?</p> <p>18 A. Uh-huh. That's where you can choose the</p> <p>19 drugstore you would like to get your</p> <p>20 medicine from, and so I chose Walgreens.</p> <p>21 Q. What number is that?</p> <p>22 A. It's -- all of them have the same number.</p> <p>23 Q. Okay. And before you left for Texas, what</p>
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<p>1 Q. The Justin Medical Center?</p> <p>2 A. Baptist on Eastern Boulevard sent me to</p> <p>3 the place where I felt suicidal.</p> <p>4 Q. And is that place Justin Medical Center?</p> <p>5 A. It wasn't -- it was a behavior place for</p> <p>6 suicidal people.</p> <p>7 Q. Okay. Have you ever been to Justin</p> <p>8 Medical Center?</p> <p>9 A. No.</p> <p>10 Q. Have you ever been to a place called the</p> <p>11 Griel, G-R-I --</p> <p>12 A. That's where I was at.</p> <p>13 Q. What's that?</p> <p>14 A. Griel.</p> <p>15 Q. Where?</p> <p>16 A. In Montgomery.</p> <p>17 Q. Okay. Is that the behavioral --</p> <p>18 A. Yes.</p> <p>19 Q. Okay. You're currently insured with Blue</p> <p>20 Cross Blue Shield?</p> <p>21 A. No, not anymore.</p> <p>22 Q. Who are you insured with now?</p> <p>23 A. I'm insured with Etna.</p>	<p>1 drugstores did you use in Alabama?</p> <p>2 A. I used one off Eastern Boulevard, which</p> <p>3 was over in Winn Dixie. I forgot their</p> <p>4 name, but they're in Winn Dixie over there</p> <p>5 on Eastern Boulevard.</p> <p>6 Q. Okay. Any other place?</p> <p>7 A. I've used Walgreens here.</p> <p>8 Q. Located where?</p> <p>9 A. Here in Montgomery.</p> <p>10 Q. Where in Montgomery?</p> <p>11 A. Eastern Boulevard -- I mean Atlanta</p> <p>12 Highway.</p> <p>13 Q. Okay. Any others?</p> <p>14 A. No.</p> <p>15 Q. Are there any other mental injuries that</p> <p>16 we haven't discussed that you're claiming</p> <p>17 in this lawsuit? I don't want you to</p> <p>18 rehash ones we've already gone over, but</p> <p>19 any that we have left off?</p> <p>20 A. Mental injuries?</p> <p>21 Q. Uh-huh, other than what we've already</p> <p>22 discussed?</p> <p>23 A. No.</p>

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<p>1 Q. Ma'am?</p> <p>2 A. No.</p> <p>3 Q. Okay. Have we talked about all the areas</p> <p>4 of damages you're seeking in this case?</p> <p>5 Again, I'm not asking you to repeat them,</p> <p>6 but are there any others we haven't</p> <p>7 discussed?</p> <p>8 A. No.</p> <p>9 Q. Are there any other complaints that you</p> <p>10 have against National Seating, other than</p> <p>11 what we've already discussed?</p> <p>12 A. That's correct.</p> <p>13 Q. Are you a member of a church?</p> <p>14 A. Oh, yes, definitely.</p> <p>15 Q. What church were you a member of when you</p> <p>16 were here?</p> <p>17 A. I went to Antioch Baptist Church.</p> <p>18 Q. And were you a member of that church?</p> <p>19 A. No. I didn't join that church, but I went</p> <p>20 there.</p> <p>21 Q. Any other churches that you attended while</p> <p>22 you were here?</p> <p>23 A. Yes, I have. I attended another church</p>	<p>1 talked to me about the way I dressed. I</p> <p>2 mean...</p> <p>3 Q. Any other acts of maliciousness that you</p> <p>4 claim?</p> <p>5 A. Telling a lie, saying I filed a report and</p> <p>6 I did not. That's it.</p> <p>7 Q. Well, now, you already testified that NSM</p> <p>8 --</p> <p>9 A. That still bothers me.</p> <p>10 Q. But you testified you don't have any facts</p> <p>11 that NSM said you filed a report.</p> <p>12 A. Well, I only read what was Gerry -- what I</p> <p>13 was given to by my attorney. But I never</p> <p>14 took possession of it. I only saw it the</p> <p>15 day of that court date when we were there.</p> <p>16 And I read Don's statement. Gerry</p> <p>17 Shockley wrote what Don said to him, all</p> <p>18 that stuff, so I -- I didn't take</p> <p>19 possession of it.</p> <p>20 Q. Have you received any payments for</p> <p>21 disability?</p> <p>22 A. Oh, no. You mean from the State?</p> <p>23 Q. Any kind of disability insurance or</p>
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<p>1 right off the Eastern Boulevard with a</p> <p>2 friend, Church of Christ -- Church of Life</p> <p>3 in Montgomery off the Eastern Boulevard.</p> <p>4 Q. Any others?</p> <p>5 A. No.</p> <p>6 Q. Were you a member of any clubs or</p> <p>7 organizations when you lived here?</p> <p>8 A. Clubs? No. Organizations? No.</p> <p>9 Q. Do you understand what malicious means?</p> <p>10 A. To me, that means something intentionally</p> <p>11 to harm somebody.</p> <p>12 Q. Do you have any facts that National</p> <p>13 Seating set out to harm you maliciously?</p> <p>14 A. Well, yes. When you said -- I mean, the</p> <p>15 state that they ever talked to me about</p> <p>16 the way I dressed and then the way I</p> <p>17 talked with -- National Seating is no</p> <p>18 bigger than here to there, and no people</p> <p>19 ever came in there. Everything was done</p> <p>20 by the phone almost. If they did, it was</p> <p>21 me and Don and Emily in there, so -- and</p> <p>22 people delivering stuff, so who -- that's</p> <p>23 malicious. That's a lie, saying you</p>	<p>1 payments.</p> <p>2 A. Yes.</p> <p>3 Q. What from?</p> <p>4 A. Family medical leave, when I left Sprint</p> <p>5 -- not Sprint, Fidelity, when the doctor</p> <p>6 took me off work and put me in the</p> <p>7 hospital.</p> <p>8 Q. What type of disability payment did you</p> <p>9 receive then?</p> <p>10 A. FMLA for my job. Short-term -- it's not</p> <p>11 short-term disability, one and the same,</p> <p>12 so -- that's what it was.</p> <p>13 Q. You're not claiming in this case that all</p> <p>14 of the mental problems that you've had are</p> <p>15 solely because of this arrest, are you?</p> <p>16 A. What I'm claiming is -- you know, I had my</p> <p>17 problems with my marriage before this</p> <p>18 arrest; I was okay with that. I was</p> <p>19 accepting the fact that I wanted that to</p> <p>20 end; I was okay with that. When I got</p> <p>21 arrested and things started going as --</p> <p>22 you know, I lost my job, and I had to</p> <p>23 move, and getting behind on my bills, and</p>

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<p>1 couldn't help pay tuition -- then it kind 2 of made me more angrier and angrier. And 3 when I went to court and found out all 4 this stuff that I didn't know about and 5 Ms. Barrow had to clear it up, of course, 6 it made me more angrier and more angrier, 7 especially at Gerry Shockley, because he 8 could have asked me. Because he called me 9 at work, left me a message at work on my 10 desk phone at Hyundai. I called him back, 11 and I said, well, we're getting ready to 12 launch these new Santa Fes, and I'm on the 13 team that actually inspects those cars and 14 actually troubleshoots any problems with 15 the electrical portion of it, but I get 16 off at 5:30. And I said, if you can meet 17 me at my home at 5:30 or after 5:30, or if 18 you'll let me come to your office, I can 19 do it when I get off from work, but I 20 can't get off from work -- I already met 21 with one of your guys. I'd be more than 22 happy to meet with you. Gerry Shockley 23 never called me back, so I never saw him</p>	<p>1 any stress? 2 A. No, not being a single parent. Actually, 3 I enjoy it. I enjoy being a single 4 parent. I am very close to my kids, and 5 I'd rather be close to my kids than have 6 someone else to not. 7 Q. Okay. Your medical problems like high 8 blood pressure and anemia, are they 9 causing you any stress? 10 A. No. High blood pressure, I'm not even 11 taking -- I take that every now and then, 12 so -- my mother has that. That didn't 13 cause me -- I never had any -- never knew 14 about it until I did a physical for 15 Hyundai. So I'm not saying that's the 16 cause of this. But anemia, I don't know 17 how long I've been anemic at all. Until 18 Dr. Adams did a test on me... 19 Q. Your financial problems caused you stress, 20 didn't they? 21 A. When I wasn't able to pay my bills, yes, 22 of course. 23 Q. And you're not blaming all your financial</p>
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<p>1 until court. 2 Q. I think my question was, you're not 3 claiming that all the mental problems that 4 you have experienced over these couple of 5 years are solely because of this arrest? 6 A. Couple of years? The last year and a half 7 is because of this arrest. 8 Q. But there are other things that have 9 caused you to have mental problems as 10 well; do you agree with that? 11 A. Like what? 12 Q. Like your marital situation? 13 A. I'm afraid not. 14 Q. Breast cancer? 15 A. I've been through breast cancer. I've 16 been through cancer through my whole 17 family, and it hasn't phased me. 18 Q. So that's not causing you any kind of 19 mental -- 20 A. That was when I was a young child. 21 Q. That's not causing you any kind of stress? 22 A. Not at all. 23 Q. Being a single parent isn't causing you</p>	<p>1 problems on the arrest, are you? 2 A. You know, before I got arrested, I was 3 working every day and had about \$7,000 in 4 my account, you know. Then I had to pay 5 out legal fees and everything, and having 6 no job and paying out tuition, yeah, that 7 caused me -- that arrest caused me not to 8 have a job and to have to deplete my 9 account. 10 Q. While working at Fidelity, didn't you have 11 some stress caused by a supervisor who you 12 were afraid wanted to terminate you? 13 A. She didn't want to terminate me. 14 Q. Did you tell anybody that you had that 15 stress? 16 A. She -- Susan Hunter actually was her name. 17 She actually sent me home for one thing 18 that the next representative did because I 19 wouldn't say that she did it -- well, she 20 didn't know -- what happened was, young 21 lady who sits right next to me like this 22 here hung up on a customer, and the 23 customer rolled back to me. And I got the</p>

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<p>1 phone call, and he was still angry about</p> <p>2 it. Well, she thought it was me who hung</p> <p>3 up on the customer, so I never told her it</p> <p>4 was the girl beside me. But when she</p> <p>5 found out later through HR solution, they</p> <p>6 reprimanded her, and I returned back to</p> <p>7 work.</p> <p>8 Q. My question was --</p> <p>9 A. So that didn't cause me no stress. It</p> <p>10 just...</p> <p>11 Q. Was there ever any stress that you had</p> <p>12 while working at Fidelity about a</p> <p>13 supervisor that wanted to fire you? That</p> <p>14 was my question.</p> <p>15 A. No. That was no stress for me.</p> <p>16 Q. Okay. And have you ever told anybody that</p> <p>17 you had a fear of breast cancer relapse?</p> <p>18 A. That was one of my fears when I was 18, as</p> <p>19 I said.</p> <p>20 Q. But you haven't had that fear within the</p> <p>21 last couple of years?</p> <p>22 A. No.</p> <p>23 Q. Was one of the things that caused you</p>	<p>1 June.</p> <p>2 Q. So that didn't cause you any stress?</p> <p>3 A. If it's going to happen -- right now I</p> <p>4 have breast implants, so it didn't cause</p> <p>5 me no stress.</p> <p>6 Q. Your divorce in June of 2006, did that</p> <p>7 cause you any stress?</p> <p>8 A. No.</p> <p>9 Q. Did loneliness cause you any stress after</p> <p>10 your divorce?</p> <p>11 A. No.</p> <p>12 Q. Was your marriage abusive?</p> <p>13 A. Chris was not abusive.</p> <p>14 Q. Did you ever tell anybody that he was</p> <p>15 abusive?</p> <p>16 A. Abusive? No, I never told anybody Chris</p> <p>17 was abusive. Chris was pretty much</p> <p>18 introverted, so -- and I, extroverted --</p> <p>19 we were totally the opposite, so we were</p> <p>20 pretty much comfortable with that.</p> <p>21 Q. Did you ever tell anyone that you suffered</p> <p>22 stress from your divorce in September of</p> <p>23 '94 from Mr. Butler?</p>
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<p>1 stress the fact that your husband didn't</p> <p>2 support you when you had cancer?</p> <p>3 A. Chris didn't support me when I had cancer?</p> <p>4 Q. Uh-huh.</p> <p>5 A. Well, I wasn't with Chris when I had</p> <p>6 cancer.</p> <p>7 Q. Didn't you have cancer in June of 2006?</p> <p>8 A. That was a lump they thought was cancer;</p> <p>9 turned out that it was not.</p> <p>10 Q. Didn't you think that you had cancer at</p> <p>11 the time?</p> <p>12 A. Yes.</p> <p>13 Q. Didn't you have fear and stress because of</p> <p>14 the fear that you had cancer?</p> <p>15 A. No, I didn't.</p> <p>16 Q. And did you ever tell anybody that your</p> <p>17 husband was not supportive of you while</p> <p>18 you had cancer in 2006?</p> <p>19 A. He was not supportive of me when I was</p> <p>20 going through the process of finding out</p> <p>21 what that lump was. We thought it was</p> <p>22 cancer. No, we weren't even -- Chris and</p> <p>23 I weren't even together. We separated in</p>	<p>1 A. Mr. Butler?</p> <p>2 Q. Yeah.</p> <p>3 A. My kids' father and I separated when my</p> <p>4 daughter was actually nine months old, so</p> <p>5 -- we remained friends for years and years</p> <p>6 after that.</p> <p>7 Q. Who is we, you and Mr. Butler?</p> <p>8 A. Yes.</p> <p>9 Q. I thought he was physically and</p> <p>10 emotionally abusive to you.</p> <p>11 A. My reason for -- when we were married, he</p> <p>12 used to -- he was on drugs. He used to</p> <p>13 come home and try to fight and stuff like</p> <p>14 that. Well, you know, I divorced him --</p> <p>15 well, I left him after two years -- two</p> <p>16 years of marriage, but we weren't</p> <p>17 divorced. I left him and we weren't</p> <p>18 divorced.</p> <p>19 Q. So you've not told anyone, medical</p> <p>20 provider or otherwise, that you suffered</p> <p>21 stress because of an abusive marriage?</p> <p>22 A. They ask me about things that goes on in</p> <p>23 your life, ask you about, have you been</p>

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<p>1 married before -- go through a sequence of</p> <p>2 questions. Levester was very abusive. I</p> <p>3 was 22 years old. Yeah, he was very</p> <p>4 abusive. That bothered me. That really</p> <p>5 did bother me and my family, my kids. I</p> <p>6 had to protect my kids at that point in</p> <p>7 time. But when it came boiling down to</p> <p>8 me, you know, wondering when he was coming</p> <p>9 to the door being on drugs again, yeah,</p> <p>10 that was stressful at 22 and 24 and 25,</p> <p>11 yes.</p> <p>12 Q. Did you ever seek treatment for that?</p> <p>13 A. No.</p> <p>14 Q. And did you ever claim that Chris Horton</p> <p>15 was abusive to you?</p> <p>16 A. Chris was emotionally abusive. As far as</p> <p>17 physically, no.</p> <p>18 Q. Did that cause you stress?</p> <p>19 A. No, because I learned to deal with that.</p> <p>20 In the beginning, when I found out there</p> <p>21 was someone else, that was shocking.</p> <p>22 Q. When did you first find out there was</p> <p>23 someone else?</p>	<p>1 Q. Did you ever tell anybody you were</p> <p>2 suffering stress because of a recent death</p> <p>3 of a cousin?</p> <p>4 A. My cousin just got buried last Sunday.</p> <p>5 Q. Did you ever tell anybody that --</p> <p>6 A. So I never -- I haven't seen a</p> <p>7 psychiatrist in about a month now, so I</p> <p>8 couldn't have.</p> <p>9 Q. Couldn't have said that; is that right?</p> <p>10 A. No, he just died last Sunday, the one I</p> <p>11 know. If there's any other cousins...</p> <p>12 Q. Did you ever tell anybody that you</p> <p>13 suffered stress because of the recent</p> <p>14 death of a grandfather?</p> <p>15 A. My grandfather died in 2004, the only</p> <p>16 grandfather that I knew. No. Actually,</p> <p>17 I'm wrong. I was working at Yale and</p> <p>18 Chris and I moved to Iowa. My grandfather</p> <p>19 died in the later part of 1999 or 2000 --</p> <p>20 he was my mother's father -- while I was</p> <p>21 working at Yale.</p> <p>22 Q. So you never told anybody that?</p> <p>23 A. No. That's the only grandfather I knew.</p>
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<p>1 A. Well, let's see. Well, it had to have</p> <p>2 been March, March of 2005.</p> <p>3 Q. And that caused you stress, didn't it?</p> <p>4 A. Well, she happened to be a friend of mine,</p> <p>5 so yeah.</p> <p>6 Q. Did you also tell someone that you had</p> <p>7 stress from the recent death of relatives?</p> <p>8 A. You mean my sister? No. I haven't seen</p> <p>9 her in almost 20 years. But when they</p> <p>10 called me and told me that she had passed</p> <p>11 from an aneurysm and didn't have</p> <p>12 insurance, Ross and I paid for her</p> <p>13 funeral. But that didn't cause me stress,</p> <p>14 just made me wonder why nobody helped pay</p> <p>15 for it besides me.</p> <p>16 Q. Did you ever tell anybody that stress was</p> <p>17 brought on by the recent death of an</p> <p>18 uncle?</p> <p>19 A. My uncle?</p> <p>20 Q. Did you ever tell anybody that?</p> <p>21 A. All my uncles are gone except for one, so</p> <p>22 -- and they've been dead ever since I was</p> <p>23 about 20 years old.</p>	<p>1 But I did say my mother.</p> <p>2 Q. When did your mother pass away?</p> <p>3 A. My mother passed away right before I moved</p> <p>4 to Iowa. She passed away in 2000, June of</p> <p>5 2000.</p> <p>6 Q. On Father's Day?</p> <p>7 A. Yes, she did. No, the day after Father's</p> <p>8 Day. My birthday fell on Father's Day,</p> <p>9 the 18th, and she died on the 19th, that</p> <p>10 Monday.</p> <p>11 Q. Did you ever tell someone that you were</p> <p>12 trying to forgive yourself for being</p> <p>13 married to a hurtful and abusive spouse?</p> <p>14 A. Yeah.</p> <p>15 Q. And were you referring to Chris at the</p> <p>16 time?</p> <p>17 A. No -- because I married Chris right after</p> <p>18 my mother died. I left and went away.</p> <p>19 But he's -- as far as hurtful, like I</p> <p>20 said, he's introverted, so that's -- we</p> <p>21 were pretty comfortable with that. But</p> <p>22 when I consider cheating -- to forgive</p> <p>23 myself for allowing -- I felt like I was</p>

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<p>1 -- she was my best friend; he was my 2 husband. So I felt like it was -- 3 somewhere in the middle I missed 4 something, so I was trying to forgive 5 Chris for that, and I did, and forgive her 6 too. 7 Q. And did you feel any stress for being 8 fired at Hyundai for creating a hostile 9 environment of a sexual nature? 10 A. I thought that was a joke. That didn't -- 11 that was funny. When I actually went to 12 the lawyer's office, I was laughing about 13 that, because that was mediocre stuff. 14 That's crazy. 15 Q. Did you ever tell anybody that you had 16 been scratching yourself with a steak 17 knife? 18 A. Yes. 19 Q. When was that? 20 A. I can't remember, but I told them that in 21 the PHP, the partial hospital patient -- 22 Dr. Wool, I told her that. 23 Q. You were taking sleeping pills before you</p>	<p>1 Q. Okay. And please, don't answer a question 2 unless you understand what I'm asking you, 3 okay? 4 A. Yes, sir. 5 Q. My goal, at the end of asking you 6 questions, is to make sure that I know 7 everything that you have to say about your 8 claims against my client, Mr. Williams, so 9 that's what I'm looking for in your 10 answers, okay? 11 A. Yes, sir. 12 Q. Okay. One question about your marriage. 13 You said you got married out of high 14 school, or did I write that down wrong? 15 A. No, not right after high school. I 16 graduated in '81; I didn't get married 17 until '82. 18 Q. Okay. And how old were you when you got 19 married? 20 A. 22. 21 Q. Okay. And how old were you when you 22 graduated from high school? 23 A. I was 16.</p>
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<p>1 were arrested, weren't you? 2 A. For marriage our problem, Ambien. 3 MR. STEWART: Let me pass the 4 witness for now. I'll try 5 to organize my notes a 6 little. 7 EXAMINATION 8 BY MR. WALKER: 9 Q. Ms. Horton, I'm Dorman Walker, and I 10 represent Don Williams, who also is a 11 defendant in the lawsuit. And I'll just 12 ask you some questions too, and I'll try 13 not to go back over what we've already 14 covered today. I know it's been a long 15 day. Same rules as those that Mr. Stewart 16 stated. If you answer a question, I will 17 assume that you understood the question. 18 If you have any questions about what I'm 19 asking you -- if it's unclear in some way; 20 if I've misstated a question or perhaps 21 misstated what you've said earlier, please 22 stop me and let me know, okay? 23 A. Yes, sir.</p>	<p>1 Q. 16. So what happens between -- that's 2 more than one year. What happened between 3 your 16th year and your 22nd year? 4 A. Well -- what happened between? Well, I 5 was -- we were living together -- well, I 6 wasn't living with him; I was with my 7 parents. I graduated when I was 16; I 8 turned 17 that June of that same year, 9 June of '81. I had been dating him since 10 high school. So I was working two jobs, 11 like I said, all the time, living in 12 Marianna. 13 Q. Which jobs were you working after you 14 graduated from high school and before you 15 married him in your 22nd year? 16 A. Well, I was working a job while I went to 17 high school. I was working in a 18 restaurant cooking, and I was working at 19 -- this is in Marianna -- and I worked at 20 Number 1 food store. 21 Q. What were you doing between the time you 22 graduated from high school at 16 and the 23 time of your first marriage at 22? Were</p>

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